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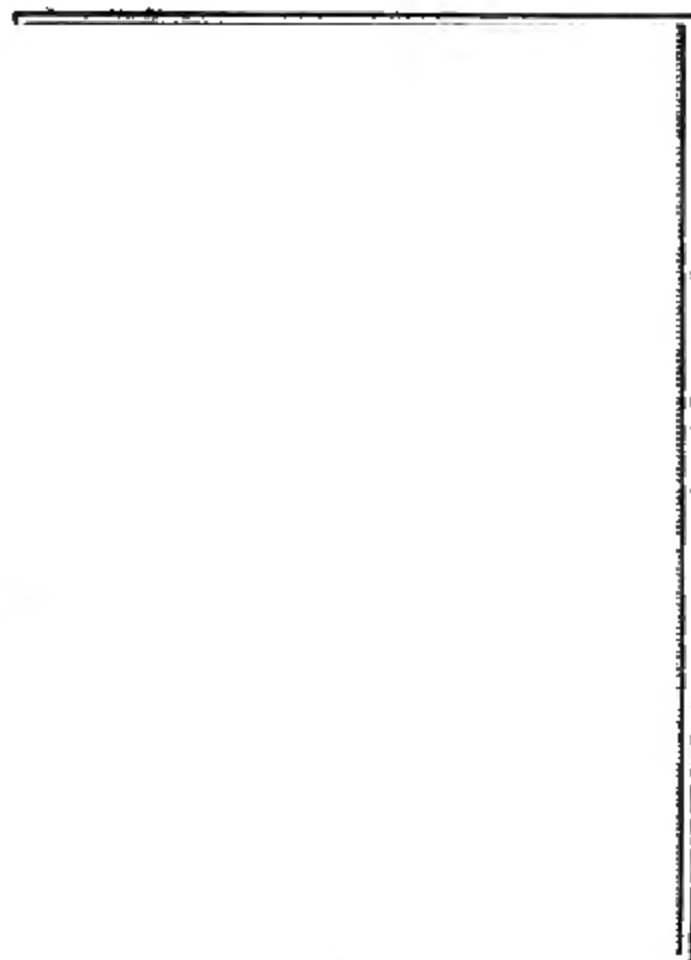
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JOURNAL  
OF THE  
ASSEMBLY

OF THE  
STATE OF NEW YORK

AT THEIR  
ONE HUNDRED AND THIRTY-SIXTH SESSION

BEGUN AND HELD AT THE CAPITOL IN THE CITY OF ALBANY  
ON WEDNESDAY, THE FIRST DAY OF JANUARY, 1913

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VOLUME I

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# JOURNAL OF THE ASSEMBLY.

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STATE OF NEW YORK,  
ASSEMBLY CHAMBER IN THE CITY OF ALBANY,  
WEDNESDAY, JANUARY 1, 1913.

Pursuant to section six of article ten of the Constitution of the State, the gentlemen whose names are given in the following list appeared in the Assembly Chamber. The said list contains the names of the representatives elected to the Assembly in the several districts, viz.:

County.	Dist.	Name.
Albany . . . . .	1	Harold J. Hinman.
	2	John G. Malone.
	3	Wm. C. Baxter.
Allegany . . . . .		Ransom L. Richardson.
Broome . . . . .		Mortimer B. Edwards.
Cattaraugus . . . . .		Clare Willard.
Cayuga . . . . .		Michael Grace.
Chautauqua . . . . .	1	George W. Jude.
	2	John Leo Sullivan.
Chemung . . . . .		Robert P. Bush.
Chenango . . . . .		Walter A. Shepardson.
Clinton . . . . .		Charles J. Vert.
Columbia . . . . .		Alexander W. Hover.
Cortland . . . . .		Niles Freeland Webb.
Delaware . . . . .		John W. Telford.
Dutchess . . . . .	1	Myron Smith.
	2	John Augustus Kelly.
Erie . . . . .	1	George Frederick Small.
	2	Clinton T. Horton.
	3	Albert F. Geyer.

County.	Dist.	Name.
Erie . . . . .	4	Edward D. Jackson.
	5	Richard F. Hearn.
	6	James M. Rozan.
	7	Joseph Vincent Fitzgerald.
	8	George Geoghan.
	9	John Dorst, Jr.
Essex . . . . .		Spencer G. Prime, 2nd.
Franklin . . . . .		Alexander Macdonald.
Fulton-Hamilton . . . . .		James H. Wood.
Genesee . . . . .		Clarence Bryant.
Greene . . . . .		J. L. Patrie.
Herkimer . . . . .		E. Bert Pullman.
Jefferson . . . . .	1	H. Edmund Machold.
	2	John G. Jones.
Kings . . . . .	1	John Joseph Kelly.
	2	William J. Gillen.
	3	Frank J. Taylor.
	4	Harry W. Kornobis.
	5	Vincent A. O'Connor.
	6	Lester D. Volk.
	7	Daniel F. Farrell.
	8	John J. McKeon.
	9	Frederick S. Burr.
	10	George Edward Dennen.
	11	Karl Soden Deitz.
	12	Wm. Pinkey Hamilton, Jr.
	13	James H. Finnigan.
	14	James J. Garvey.
	15	Thomas E. Willmott.
	16	Jesse P. Larrimer.
	17	Frederick Ulrich.
	18	Joseph Henry Esquirol.
	19	Jacob Schifferdecker.
	20	Cornelius J. Cronin.
	21	Harry Heyman.
	22	Joseph J. Monahan.
	23	Thomas L. Ingram.
Lewis . . . . .		James B. VanWoert.

County.	Dist.	Name.
Livingston . . . . .		Edward M. Magee.
Madison . . . . .		Morell E. Tallett.
Monroe . . . . .	1	Jared W. Hopkins.
	2	Simon Louis Adler.
	3	August V. Pappert.
	4	Cyrus W. Phillips.
	5	Charles H. Gallup.
Montgomery . . . . .		Walter A. Gage.
Nassau . . . . .		Thomas B. Maloney.
New York . . . . .	1	Thomas Byron Caughlan.
	2	Alfred E. Smith.
	3	Harry E. Oxford.
	4	Aaron J. Levy.
	5	James J. Walker.
	6	Jacob Silverstein.
	7	Peter P. McElligott.
	8	Solomon Sufrin.
	9	Charles D. Donohue.
	10	Meyer Greenberg.
	11	John Kerrigan.
	12	Joseph D. Kelly.
	13	James C. Campbell.
	14	Robert Lee Tudor.
	15	Theodore Hackett Ward.
	16	Martin G. McCue.
	17	Mark Eisner.
	18	Mark Goldberg.
	19	Thomas F. Denney.
	20	Patrick J. McGrath.
	21	Thomas Kane.
	22	Edward Weil.
	23	David Chester Lewis.
	24	Owen M. Kiernan.
	25	David H. Knott.
	26	Abraham Greenberg.
	27	Raymond B. Carver.
	28	Salvatore A. Cotillo.
	29	Charles Joseph Carroll.

County.	Dist.	Name.
New York . . . . .	30	Louis A. Cuvillier.
	31	Michael Schaap.
	32	Louis D. Gibbs.
	33	Thomas John Lane.
	34	Patrick Joseph McMahon.
	35	Ernest E. L. Hammer.
Niagara . . . . .	1	Frank Mead Bradley.
	2	Eugene A. McCollum.
Oneida . . . . .	1	Fred Frank Emden.
	2	Herbert Erwin Allen.
	3	John Brayton Fuller.
Onondaga . . . . .	1	Patrick J. Kelly.
	2	Stephen Gay Daley.
	3	Thomas K. Smith.
Ontario . . . . .		Herman Ferdinand Schnirel.
Orange . . . . .	1	Caleb H. Baumes.
	2	William Thomas Doty.
Orleans . . . . .		Marc Wheeler Cole.
Oswego . . . . .		Thaddeus C. Sweet.
Otsego . . . . .		LaVerne P. Butts.
Putnam . . . . .		John R. Yale.
Queens . . . . .	1	Samuel J. Burden.
	2	Alfred J. Kennedy.
	3	Alfred C. Benninger.
	4	Howard Sutphin.
Rensselaer . . . . .	1	C. Fred Schwarz.
	2	Tracey T. Taylor.
Richmond . . . . .		Ralph Rappé McKee.
Rockland . . . . .		Frederick George Grimme.
St. Lawrence . . . . .	1	Frank L. Seaker.
	2	John A. Smith.
Saratoga . . . . .		Gilbert Thompson Seelye.
Schenectady . . . . .		Arthur Porter Squire.
Schoharie . . . . .		Edward A. Dox.
Schuyler . . . . .		John W. Gurnett.
Seneca . . . . .		Augustus S. Hughes.
Steuben . . . . .	1	Charles A. Brewster.
	2	James L. Seely, Jr.



County.	Dist.	Name.
Suffolk . . . . .	1	Stephen A. Fallon.
	2	John J. Robinson.
Sullivan . . . . .		John K. Evans.
Tioga . . . . .		John Gilbert Pembleton.
Tompkins . . . . .		Minor McDaniels.
Ulster . . . . .	1	Lawrence M. Kenney.
	2	Eldridge M. Gathright.
Warren . . . . .		Henry E. H. Brereton.
Washington . . . . .		Eugene R. Norton.
Wayne . . . . .		Albert Yeomans.
Westchester . . . . .	1	Tracy P. Madden.
	2	Verne Morgan Bovie.
	3	Wilson Randolph Yard.
	4	Mortimer Charles O'Brien.
Wyoming . . . . .		John Knight.
Yates . . . . .		Edward C. Gillett.

The members were called to order at 8:30 o'clock P. M. by Fred W. Hammond, Clerk of the last Assembly.

The proceedings were opened with prayer by Rev. Charles W. Leitzell.

The Clerk then called the roll as presented by the Secretary of State, and the following members responded:

Adler	Eisner	Hover	Maloney	Seely J L
Allen	Emden	Hopkins	Seelye G T	Silverstein
Baumes	Esquirol	Horton	Shepardson	Small
Baxter	Evans	Hughes	McCue	Smith A E
Benninger	Fallon	Ingram	McCollum	Smith J A
Bovie	Farrell	Jackson	McElligott	Smith M
Bradley	Fitzgerald	Jones	McDaniels	Smith T K
Brereton	Finnigan	Jude	McGrath	Squire
Brewster	Fuller	Kane	McKee	Sufrin
Bryant	Gage	Kelly J A	McKeon	Sullivan
Burden	Gallup	Kelly J J	McMahon	Sutphin
Burr	Garvey	Kelly J D	Monahan	Sweet
Bush	Gathright	Kelly P J	Norton	Tallett
Campbell	Geyer	Kenney	O'Brien	Telford
Carroll	Geoghan	Kennedy	O'Connor	Taylor F J
Carver	Gibbs	Kerrigan	Oxford	Taylor T D
Caughlan	Gillen	Kiernan	Pappert	Van Woert
Cole	Gillett	Knight	Patrie	Volk
Cotillo	Goldberg	Knott	Pembleton	Walker
Cronin	Grace	Kornobis	Phillips	Ward
Cuvillier	Greenberg A	Lane	Prime	Webb
Daley	Greenberg M	Larrimer	Pullman	Weil
Deits	Grimme	Levy	Robinson	Willard
Dennen	Gurnett	Lewis	Rozan	Wood

Denney	Hamilton	Macdonald	Schaap	Willmott
Donohue	Hammer	Machold	Schifferdecker	Ulrich
Dorst	Hearn	Madden	Schnirel	Yale
Doty	Heyman	Magee	Schwarz	Yard
Dox	Hinman	Malone	Seaker	Yeomans
Edwards				

A quorum having answered to their names, the Clerk announced the first business was the election of Speaker.

Mr. McKeon offered for the consideration of the House a resolution, in the words following:

Resolved, That the House do now proceed to the election of Speaker; that the roll of members be called by the Clerk, and that each member, as his name is called, rise in his place and openly name his choice for such office.

The Clerk put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House then proceeded to the election of Speaker.

The Clerk called the roll of members, whereupon each member, as his name was called, arose in his place and nominated as follows:

### FOR ALFRED E. SMITH.

Benninger	Dox	Hamilton	Larrimer	Rosan
Bovie	Eisner	Hammer	Levy	Schifferdecker
Brewster	Emden	Hearn	Lewis	Schwarz
Burden	Esquirol	Heyman	Madden	Seely J L
Burr	Evans	Hover	Maloney	Silverstein
Bush	Fallon	Hughes	McCue	Small
Campbell	Farrell	Ingram	McCollum	Squire
Carroll	Fitzgerald	Jackson	McElligott	Sutphin
Carver	Finnigan	Kane	McDaniels	Telford
Caughlan	Gallup	Kelly J A	McGrath	Taylor F J
Cole	Garvey	Kelly J J	McKee	Taylor T D
Cotillo	Gathright	Kelly J D	McKeon	Tudor
Cronin	Geyer	Kelly P J	McMahon	Van Woert
Cuvillier	Geoghan	Kenney	Monahan	Walker
Daley	Gibbs	Kennedy	O'Brien	Ward
Deitz	Gillen	Kerrigan	O'Connor	Weil
Dennen	Goldberg	Kiernan	Oxford	Willard
Denney	Greenberg A	Knott	Patrie	Willmott
Donohue	Greenberg M	Kornobis	Pullman	Yale
Dorst	Grimme	Lane	Robinson	Yard
Doty	Gurnett			

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### FOR HAROLD J. HINMAN.

Adler	Gage	Machold	Richardson	Sullivan
Allen	Gillett	Magee	Schnirel	Sweet
Baumes	Grace	Malone	Seaker	Tallett
Baxter	Hinman	Norton	Seelye G T	Vert
Bradley	Hopkins	Pappert	Shepardson	Webb
Brereton	Horton	Pembleton	Smith J A	Wood
Bryant	Jones	Phillips	Smith M	Yard
Edwards	Knight	Prime	Smith T K	Yeomans
Fuller	Macdonald			

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## FOR MICHAEL SCHAAP.

Jude

Sufrin

Volk

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Alfred E. Smith having received a majority of all the votes cast, the Clerk declared him duly elected Speaker of the Assembly of 1913 and appointed Messrs. Bush and Hinman a committee to conduct the Speaker-elect to the Chair.

Mr. Speaker on taking the Chair addressed the House as follows:

MR. SPEAKER.—Gentlemen of the Assembly of 1913: I thank you all for the kind reception I have received from you, and I again take this public occasion to thank the members of my party that have seen fit to intrust me with this important office. And I hope that the Assembly will proceed to its business with that dispatch that will impress upon the mind of every man elected to it the importance of the body. One hundred and fifty men is a small number in a State of eight million people. I do not think that it is necessary for me to say anything at this time that would further impress upon their mind the responsibility that rests upon their shoulders, from this moment until the gavel drops on the day of final adjournment.

I ask the members during the short time that will elapse between now and the next session to prepare their private and local legislation; and to seek its report from the committees to which it will be referred as speedily as possible, in order that the calendar of the House may be cleared and make way for the great measures of importance that are to come from the State officers and the commissions that have been investigating questions of great moment to the people of this Commonwealth.

I particularly want to call the attention of the majority to the responsibility that rests upon them. The people in no uncertain terms gave to our party the control of the affairs of this State. It is our duty to show the keenest possible sense of that responsibility.

To the members of the minority I desire to say that I am alive to the fact that the people rule negatively as well as affirmatively; and a good, strong, healthy, powerful minority is the necessary check upon great power.

The best proof of that lies in the fact that all through the rule of the Assembly can be found passages that are purposely written in for the protection of the rights of that minority. I propose to rule fair and square with all.

Mr. Evans offered for the consideration of the House a resolution, in the words following:

Resolved, That the House do now proceed to the election of Clerk; that the roll of members be called by the Clerk, and that each member, as his name is called, rise in his place and openly name his choice for such office.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker directed the Clerk to call the roll, when each member as his name was called nominated as follows:

#### FOR GEORGE R. VAN NAMEE.

Benninger	Dox'	Hamilton	Larrimer	Rozan
Bovie	Eisner	Hammer	Levy	Schifferdecker
Brewster	Emden	Hearn	Lewis	Schwarz
Burden	Esquirol	Heyman	Madden	Seely J L
Burr	Evans	Hover	Maloney	Silverstein
Bush	Fallon	Hughes	McCue	Small
Campbell	Farrell	Ingram	McCollum	Squire
Carroll	Fitzgerald	Jackson	McElligott	Sutphin
Carver	Finnigan	Kane	McDaniels	Telford
Caughlan	Gallup	Kelly J A	McGrath	Taylor F J
Cole	Garvey	Kelly J J	McKee	Taylor T D
Cotillo	Gathright	Kelly J D	McKeon	Tudor
Cronin	Geyer	Kelly P J	McMahon	Van Woert
Cuvillier	Geoghan	Kenney	Monahan	Walker
Daley	Gibbs	Kennedy	O'Brien	Ward
Deitz	Gillen	Kerrigan	O'Connor	Weil
Dennen	Goldberg	Kiernan	Oxford	Willard
Denney	Greenberg A	Knott	Patrie	Willmott
Donohue	Greenberg M	Kornobis	Pullman	Ulrich
Dorst	Grimme	Lane	Robinson	Yard
Doty	Gurnett			

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#### FOR FRED W. HAMMOND.

Adler	Fuller	Macdonald	Prime	Smith T K
Allen	Gage	Machold	Richardson	Sullivan
Baumes	Gillett	Magee	Schnirel	Sweet
Baxter	Grace	Malone	Seaker	Tallett
Bradley	Hinman	Norton	Seelye G T	Webb
Brereton	Hopkins	Pappert	Shepardson	Wood
Bryant	Horton	Pembleton	Smith J A	Yale
Edwards	Knight	Phillips	Smith M	Yeomans

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## FOR HERMES L. AMES.

Jude

Schaap

Sufrin

Volk

4

Mr. Speaker declared George R. Van Namee duly elected Clerk of the Assembly for 1913.

Mr. Speaker administered the oath of office to George R. Van Namee, Clerk-elect.

Mr. Patrie offered for the consideration of the House a resolution, in the words following:

Resolved, That Lee F. Betts be and he hereby is elected Sergeant-at-Arms of the Assembly for the session of 1913.

Mr. Yale moved to amend said resolution by striking out the name of Lee F. Betts and inserting the name of Harry W. Haines.

Mr. Sufrin moved to amend said amendment by striking out the name of Harry W. Haines and inserting the name of Soloman Gluck.

Mr. Speaker put the question whether the House would agree to said amendment to the amendment, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Yale, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Lee F. Betts duly elected Sergeant-at-Arms of the Assembly for the session of 1913.

Mr. Dox offered for the consideration of the House a resolution, in the words following:

Resolved, That Charles Durham be and he hereby is elected principal doorkeeper of the Assembly for the session of 1913.

Mr. M. Smith moved to amend said resolution by striking out the name of Charles Durham and inserting the name of Michael Kehoe.

Mr. Volk moved to amend said amendment by striking out the name of Michael Kehoe and inserting the name of Thomas Leslie.

Mr. Speaker put the question whether the House would agree to said amendment to the amendment, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. M. Smith, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Charles Durham duly elected principal doorkeeper of the Assembly for the session of 1913.

Mr. Gillen offered for the consideration of the House a resolution, in the words following:

Resolved, That William Davis be and he hereby is elected first assistant doorkeeper of the Assembly for the session of 1913.

Mr. Baumes moved to amend said resolution by striking out the name of William Davis and inserting the name of James B. Hulse.

Mr. Schaap moved to amend said amendment by striking out the name of James B. Hulse and inserting the name of Charles H. Levitt.

Mr. Speaker put the question whether the House would agree to said amendment to the amendment, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Baumes, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared William Davis duly elected first assistant doorkeeper of the Assembly for the session of 1913.

Mr. Jackson offered for the consideration of the House a resolution, in the words following:

Resolved, That John W. Doty be and he hereby is elected second assistant doorkeeper of the Assembly for the session of 1913.

Mr. Norton moved to amend said resolution by striking out the name of John W. Doty, and inserting the name of D. C. Easton.

Mr. Jude moved to amend said amendment by striking out the name of D. C. Easton and inserting the name of John H. Johnson.

Mr. Speaker put the question whether the House would agree to said amendment to the amendment, and it was determined in the negative.



Mr. Speaker put the question whether the House would agree to said motion of Mr. Norton, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared John W. Doty duly elected second assistant doorkeeper of the Assembly for the session of 1913.

Mr. McElligott offered for the consideration of the House a resolution, in the words following:

Resolved, That Martin Leach be and he hereby is elected stenographer of the Assembly for the session of 1913.

Mr. Phillips moved to amend said resolution by striking out the name of Martin Leach and inserting the name of H. C. Lammert.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Phillips, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared Martin Leach duly elected stenographer of the Assembly for the session of 1913.

Mr. Levy offered for the consideration of the House a resolution in the words following:

Resolved, That the rules of the Assembly for 1912 be amended to read as follows:

Rule 18. Strike out the words "forestries, fisheries, and game" on line 19 and insert "conservation," be adopted as the rules of the Assembly for 1913.

Mr. Schaap moved to amend said resolution to read as follows:

Resolved, That Rules 1, 3, 4, 8, 9, 10, 14, 15, 16, 17, 19, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, and 53, as contained in the Assembly Blue Book of 1912, be adopted as rules of the Assembly for 1913.

Resolved further, That the following rules contained in the Assembly Blue Book of 1912 be amended as follows, matter to be stricken out being indicated by brackets and new matter to be included being indicated by the italics, and as so amended be adopted as rules for the Assembly of 1913:

[Rule 2.]

2. He shall possess the powers and perform the duties herein prescribed, viz.:

1. He shall preserve order and decorum, and, in debate, shall prevent personal reflections and confine members to the question under discussion. When two or more members rise at the same time, he shall name the one entitled to the floor.

2. He shall decide all questions of order subject to appeal to the House. On every appeal he shall have the right, in his place, to assign his reason for his decision. In case of such appeal no member shall speak more than once.

3. [He shall appoint all committees, except where the House shall otherwise order.] *He shall on their introduction, unless the House shall order otherwise, divide all bills into:*

(1) *Private and local bills.*

(2) *City bills.*

(3) *General bills.*

*and shall cause the same when reported from committees, to be placed on three separate calendars accordingly.*

4. He may substitute any member to perform the duties of the Chair for a period not exceeding two consecutive legislative days, but for no longer period, except by special consent of the House.

5. He shall designate the persons who shall act as reporters for the public press, not exceeding thirty in number; but no reporter shall be admitted to the floor who is not an authorized representative of a daily paper. Such reporter, so appointed, shall be entitled to such seats as the Speaker shall designate, and shall have the right to pass to and fro from such seats in entering or leaving the Assembly Chamber.

6. He shall not be required to vote in ordinary legislative proceedings except where his vote would be decisive.

7. He shall have general control, except as provided by rule or law, of the Assembly Chamber, lobbies and rooms and of the corridors and passages in that part of the Capitol assigned to the use of the Assembly. In case of any disturbance or disorderly conduct in the galleries, corridors or passages, he shall have power to order the same to be cleared, and may cause any person guilty of such disturbance or disorderly conduct to be brought before the bar of the House. In all such cases the members present may take such measures as they shall deem necessary to prevent a repetition of such conduct, either by the infliction of censure or pecuniary penalty, as they may deem best, on the parties thus offending.

[8. He shall be ex-officio member and Chairman of the Committee on Rules.]

### [Rule 5.]

#### ORDER OF BUSINESS.

5. The first business of each day's session shall be the reading of the journal of the preceding day, and the correction of any

errors that may be found to exist therein. Immediately thereafter, except on days and at times set apart for the consideration of special orders, the order of business, which shall not be departed from, except by a vote of two-thirds of the members present, to be determined by a call of the roll, shall be as follows:

1. Messages from the Governor and from the Senate, communications from State officers, reports from State institutions, and reports from the Committees on Revision and Printed and Engrossed Bills.

2. First reading of a bill by its title and reference of the same: *during the months of January and February only if a private or local bill, and at any time prior to the first of the last eighteen legislative days of the session if a city bill or a general bill; provided that no bill shall be read for the first time unless, if a private bill, it is accompanied by a memorial or petition, or, if not a private bill, by the statement, required in each case by rule 7.*

3. Reports of standing committees in their order. (See rule 18).

4. Reports of select committees.

After the foregoing orders have been finished, the following shall be the order of the day, *each bill to be considered in the order of its original printed number and on three separate calendars as provided for by subdivision 3 of Rule 2, which calendar shall be printed and have been upon the desks of members at least twenty-four hours prior to the order being taken up:*

For Mondays:

1. Bills on second reading.
2. Bills on third reading.
3. Original resolutions during the months of January and February only.
4. Unfinished business (other than bills) may be considered.

For each other legislative day:

1. Bills on second reading.
2. Bills on third reading.

*provided that bills on the private and local bills calendar shall be on order only on Mondays and Saturdays during the months of January and February only, bills on the city bills calendar on Tuesdays and Thursdays only, bills on the general bills calendar on Wednesdays and Fridays only.*

But messages from the Governor and the Senate, communications and reports from state officers, reports from the Committee on Privileges and Elections involving the right of a member to his seat, reports from the Committee on Engrossed Bills, on Revision and on Rules shall be received at any time.

When the regular orders for any day shall have been gone through the following shall be the order of business:

1. Bills on second reading.
2. Bills on third reading.

When the consideration of the orders of the day is not finished, those not acted upon shall be the orders for the next and each succeeding day *on which the unfinished orders may be considered under this rule* until disposed of, and shall be entered first in the *appropriate* calendar without change in their order.

*No bill or resolution calling for or leading to expenditures, except the annual supply bill, shall be in order on a calendar for a third reading after the first of the last eighteen legislative days of the session.*

### 【Rule 6.】

#### OF BILLS.

6. Concurrent resolutions proposing amendments to the Constitution of the State and concurrent resolutions proposing or ratifying amendments to the Constitution of the United States shall, for all legislative purposes, be deemed to be and be treated as bills. No bill shall be introduced in the House except in one of the following modes, viz.:

1. Bills may be deposited, at any time during the session, in a box to be known as "the bill box", which shall be under the immediate charge of the Clerk and which shall be kept securely locked until all the bills so deposited are removed by him, or by a deputy clerk authorized by him. Every bill shall be in duplicate, and both shall be indorsed with a statement of the title, accompanied by the name of the member introducing it; *and be accompanied by the memorial and petition, if a private bill or the statement, if not a private bill, which is required by Rule 7.*

At the close of each day's session one of said bills so deposited shall be handed by the Clerk to the Speaker for his examination after due record thereof has been entered in a book which shall be kept for that purpose. At the next regular session, as provided in subdivision 2 of rule 5, the Speaker shall announce the introduction of all bills thus received by him for their first reading, and thereupon shall refer them to the appropriate committees with the consent of the House.

The other of said bills having first been entered in the record book shall, on their day of their reception, be filed by the Clerk with the Librarian of the Assembly, who shall keep a record thereof, which, together with the bills, shall, under his supervision, be subject to public inspection during the regular office hours of the Library.

2. By report of a committee.
3. By order of the House.
4. By message from the Senate.

**[Rule 7.]**

7. No private bill shall be introduced, but upon a memorial or petition presented to the House and signed and verified by the party or parties praying for the passage of same (except by order of the House). *No bill, not a private bill, shall be introduced unless it is accompanied by a statement signed by the member or by the Chairman of the committees introducing it, which statement shall give briefly the objects and reasons for the proposals or amendments sought to be accomplished by the bill, with the name and address of the person, partnership, corporation, association or society, if known, which proposes or will be benefited by such bill. No bill shall be in order on a calendar for either second or third reading unless, when introduced, this rule was complied with, nor unless before being reached or called up for consideration on the second reading calendar such memorial or petition or members' or chairman's statement, as the case may be, shall have been printed as an addendum to such bill. This rule does not apply to bills introduced by message from the Senate.*

**[Rule 11.]**

11. Every message from the Senate communicating an amendment shall be referred to the committee which reported the measure proposed to be amended, and such committee shall report thereon within seven days thereafter, unless such bill is so referred within the last eighteen legislative days of the session and then on the next legislative day following such reference (with power to report at any time).

**[Rule 12.]**

12. Bills on the order of second reading shall be subject to debate before the motion to order them to a third reading is entertained; such bills shall be considered section by section. After the bill has been thus read through, one-half hour shall be allowed for debate, but no person shall speak more than fifteen minutes except by consent of the House. The main question, however, if ordered, shall be on the advancement of the bill; but when amendments are pending the question shall first be taken on such amendments in their inverse order. *Every amendment to a bill while under consideration on the order of second reading shall be read in full before the question is put thereon.*

**[Rule 13.]**

13. Every bill shall receive three separate readings, and on three different days, previous to its passage, except by unanimous consent or when made a special order. *Except where unanimous con-*

*sent is asked and granted the vote on the final passage of a bill or resolution under consideration on the city bills or the general bills calendar or which calls for or leads to expenditures shall be taken by calling the roll, each member's name to be called distinctly by the Clerk and opportunity given him to vote thereon. The "short roll call" is hereby abolished on the final passage of the bills and resolutions within this Rule.*

### **【Rule 18.】**

#### **COMMITTEES AND THEIR DUTIES.**

18. The standing committees shall *be elected by the House and shall* be as follows, viz.:

To consist of fifteen members:

Ways and Means.

To consist each of thirteen members:

Judiciary.

Affairs of Cities.

Codes.

General Laws.

Internal Affairs.

Insurance.

Banks.

Electricity, Gas and Water Supply.

Excise.

Affairs of Villages.

Labor and Industries.

Taxation and Retrenchment.

Canals.

Railroads.

Conservation.

Penal Institutions.

Public Education.

Charitable and Religious Societies.

Public Health.

Commerce and Navigation.

Agriculture.

Revision.

*Constitutional Amendments and Conventions.*

*Rules.*

To consist each of eleven members:

Public Printing.

Public Institutions.

Military Affairs.

Soldiers' Home.

Claims.



To consist (each) of nine members:

Privileges and Elections.

To consist of six members [each]:

[Rules.] Printed and Engrossed Bills.

*The House shall elect as chairman of each standing committee one of the members thereof; but the Speaker shall not be a member or chairman of any standing or select committee.*

*Standing committees shall meet on regular days and not less frequently than once each week; shall proceed only on calendars prepared and made public at least twenty-four hours before the meeting; shall transact no business unless a majority of the members is actually present; and shall vote in on motions to report a bill. The affirmative vote of a majority of the members shall be necessary to every report by a standing or select committee.*

#### [Rule 20.]

20. A report of a committee must contain the name of the committee making the same, the name of the introducer of the bill or other matter reported on; the title, if a bill, with the numbers thereof and the fact as to whether reported favorably, with or without amendments, for the consideration of the House or adversely. If the report be on a resolution, petition, memorial or remonstrance it must contain the recommendations, if any, of the committee thereon. *The report of a committee must also contain the names of the members present when such report was agreed to and how each member voted thereon. No bill, the report of a committee on which does not comply with this Rule and also show that a majority of such committee was actually present when the report was agreed to and that the report was made on the affirmative vote of a majority of the members of such committee, shall be in order for advancement or passage by the House.*

#### [Rule 21.]

21. [On or before the fifth day of April committees, except the committees on Revision and on Printed and Engrossed Bills, shall make final report on matters referred to them, unless further time is granted for cause, and after that date no bill shall be introduced, except by message from the Senate].

*Each standing and select committee must report to the House every bill referred to it not later than the first Tuesday succeeding the first Monday in March, if such bill is a private or local bill or, if a city or general bill, not later than the eighteenth legislative day before the close of the session; provided that if any bill is introduced by message from the Senate after the dates in this*

*Rule specified and is thereafter referred to a standing or select committee, such committee shall report thereon on the next legislative day after such reference.*

### **[Rule 23.]**

#### **COMMITTEE ON RULES.**

23. **[**During the last ten days of the session a notice may be given requesting that any matter be made a special order, or that the rules be suspended for the purpose of reading a bill out of its order, which shall be referred, without debate, to the Committee on Rules. The member making such motion or giving the notice shall submit in writing the reasons for making such special order or suspension, and attach thereto a copy of the bill.

The Committee may report at any time, and such report shall stand as the determination of the House, unless otherwise ordered by a vote of a majority of the members elected. The Committee shall not, however, report a measure, from the consideration of which a motion to discharge a standing committee has been made and lost, unless so instructed by the House by a vote of a majority of the members elected. The Committee shall not be instructed by the House to report any matter as a special order or to report that the rules be suspended for the purpose of reading a bill out of its order, except by a vote of a majority of the members elected.]

*The Committee on Rules shall be so constituted that there shall be at least two members thereof representing each political party or independent body represented in the House, and the Chairman shall be the floor leader of the majority party or independent body. To such committee shall be referred all proposed action touching the rules of the House and joint rules and the order of business, as well as all notices of motions for special orders or to change, suspend or rescind these Rules other than by unanimous consent, and, in case of such reference, such Committee shall report thereon on the next legislative day succeeding such reference.*

### **[Rule 54.]**

#### **SUSPENSION OF THE RULES.**

54. No standing rule or order of the House shall be changed, suspended or rescinded unless one day's notice shall have been given of the motion therefor; nor shall such change be made unless by a vote of a majority of all the members elected to the Assembly; any such rule, or order, however, may be suspended by unanimous consent. **[**But such notice shall not be necessary on the last day of the session].

The notice and motion shall, in all cases, state specifically the object of suspension, and every case of suspension of a rule under such notice and motion shall be held to apply only to the object specified therein.

Such notice shall be given and such motion made under the order of business in which the matter proposed to be advanced by the suspension shall stand.

Mr. Speaker put the question whether the House would agree to said amendment, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Governor and inform him that the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Levy and Hinman.

Mr. Gurnett offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Senate and inform that honorable body that the Assembly is organized and ready to proceed to business.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Gurnett and Yale.

Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk be requested to invite the clergymen of the city of Albany in charge of parishes to open the daily sessions of this Assembly with prayer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Schifferdecker offered for the consideration of the House a resolution, in the words following:

Resolved, That upon the approval of the Speaker the Clerk of the Assembly be and he hereby is directed to arrange seats for the accommodation of the representatives of the press.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Rozan offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of the Assembly be authorized to make the usual contracts with the postmaster of the city of Albany and the express companies for the transmission of papers and documents.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McGrath offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed by the Speaker to prepare ballots for the drawing of seats, to examine the same and report to the Assembly; after which the members shall retire to the rear and back of the railing in the Assembly Chamber and as their names are drawn from the box, shall come forward and make their choice and retain such seat until the close of the drawing.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. McGrath and Yale.

Senators Blauvelt and Stivers, a committee from the Senate, appeared and announced that the Senate was duly organized and ready to proceed to business.

Senators Wende and Whitney, a committee from the Senate, appeared and announced that the Senate had elected Robert F. Wagner president *pro tem.* of the Senate.

Mr. Levy, from the committee appointed to wait upon the Governor, reported that they had performed that duty.

Mr. Gurnett, from the committee appointed to wait upon the Senate, reported that they had performed that duty.

Mr. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That unless otherwise specially ordered, the hours of daily meeting of the Assembly be as follows: On Mondays at eight-thirty o'clock P. M.; on Tuesdays, Wednesdays and Thursdays at eleven o'clock A. M. and on Fridays at ten o'clock A. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

A message from the Governor, by the hand of his secretary, was received in words following:

(See Assembly Document No. 2.)

which was read, ordered printed and referred topic by topic to the appropriate committees when appointed.

By Mr. McGrath: Your committee appointed on the drawing of seats would respectfully report and recommend that all members now serving their fifth term or longer be first entitled to select their seats, and that the balance of the seats be drawn in the following order: That members shall be divided into four classes, and be drawn in the order of their class.

First. Members serving the fourth term in the Assembly shall be placed in class one and their names drawn.

Second. Members serving their third term in the Assembly shall be placed in class two and their names drawn.

Third. Members serving their second term in the Assembly shall be placed in class three and their names drawn, and the balance, those serving their first term, shall be placed in class four and their names drawn.

which report was agreed to.

The drawing of seats resulted as follows:

Adler .....	45	Burden .....	105
Allen .....	74	Burr .....	1
Baumes .....	76	Bush .....	42
Baxter .....	85	Butts .....	12
Benninger .....	106	Campbell .....	31
Bovie .....	111	Carroll .....	130
Bradley .....	55	Carver .....	131
Brereton .....	25	Caughlan .....	72
Brewster .....	139	Cole .....	146
Bryant .....	29	Cotillo .....	133

Cronin .....	3	Hinman .....	44
Cuvillier .....	21	Hopkins .....	48
Daly .....	32	Horton .....	84
Deitz .....	91	Hover .....	99
Dennen .....	33	Hughes .....	115
Denney .....	95	Ingram .....	129
Donohue .....	92	Jackson .....	38
Dorst .....	127	Jones .....	52
Doty .....	100	Jude .....	140
Dox .....	150	Kane .....	10
Edwards .....	116	Kelly, J. A.....	101
Eisner .....	96	Kelly, J. J.....	87
Emden .....	143	Kelly, J. D.....	66
Esquirol .....	125	Kelly, P. J.....	59
Evans .....	64	Kenney .....	13
Fallon .....	142	Kennedy .....	20
Farrell .....	37	Kerrigan .....	16
Fitzgerald .....	132	Kiernan .....	135
Finnigan .....	57	Knight .....	118
Fuller .....	119	Knott .....	90
Gage .....	82	Kornobis .....	107
Gallup .....	94	Lane .....	149
Garvey .....	62	Larrimer .....	128
Gathright .....	147	Levy .....	43
Geoghan .....	14	Lewis .....	2
Geyer .....	148	Macdonald .....	77
Gibbs .....	58	Machold .....	54
Gillen .....	18	Madden .....	6
Gillett .....	81	McGee .....	8
Goldberg .....	41	Malone .....	27
Grace .....	80	Maloney .....	137
Greenberg, A.....	63	McCue .....	40
Greenberg, M.....	5	McCollum .....	145
Grimme .....	141	McDaniels .....	4
Gurnett .....	17	McElligott .....	71
Hamilton .....	88	McGrath .....	69
Hammer .....	93	McKee .....	60
Hearn .....	39	McKeon .....	19
Heyman .....	65	McMahon .....	136

Monahan .....	138	Smith, T. K. ....	24
Norton .....	49	Squire .....	124
O'Brien .....	11	Sufrin .....	112
O'Connor .....	108	Sullivan .....	22
Oxford .....	34	Sutphin .....	104
Pappert .....	51	Sweet .....	75
Patrie .....	70	Tallett .....	7
Pembleton .....	53	Telford .....	97
Phillips .....	46	Taylor, F. J. ....	134
Prime .....	114	Taylor, T. D. ....	86
Pullman .....	144	Tudor .....	121
Richardson .....	30	Van Woert .....	126
Robinson .....	102	Vert .....	23
Rozan .....	35	Volk .....	123
Schaap .....	50	Walker .....	68
Schifferdecker .....	15	Ward .....	98
Schnirel .....	120	Webb .....	117
Schwarz .....	103	Weil .....	36
Seaker .....	78	Willard .....	89
Seely, J. L. ....	9	Willmott .....	61
Seelye, G. T. ....	83	Wood .....	56
Shepardson .....	28	Ulrich .....	122
Silverstein .....	67	Yale .....	73
Small .....	113	Yard .....	110
Smith, J. A. ....	79	Yeomans .....	26
Smith, M. ....	47	Sergeant-at-Arms .....	109

Mr. Speaker presented the annual report of the Superintendent of Banks, which was laid upon the table and ordered printed.

(See Senate Document No. 10.)

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *January 1, 1913.*

Resolved (if the Assembly concur), That when the Legislature adjourns to-day, it be until Monday, January 6th, at 8:30 o'clock P. M.

By order of the Senate,

PATRICK E. McCABE,

*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with the message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the following appointments: Speakers Clerk, Patrick J. Hogan; Speaker's Stenographer, John F. Morris.

Pursuant to concurrent resolution, Mr. Speaker declared the House adjourned until Monday, January 6th, at 8:30 o'clock P. M.

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### MONDAY, JANUARY 6, 1913.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Levy, the reading of the journal of Wednesday, January 1st, was dispensed with and the same was approved.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,  
ALBANY, *January 6, 1913.*

*To the Legislature:*

I have received from the Secretary of State of the United States a certified copy of a resolution of Congress entitled "Joint Resolution Proposing an Amendment to the Constitution providing that Senators shall be elected by the People of the several States," and in accordance with his request I submit it to your honorable bodies for ratification in accordance with the expressed wishes of the people.

The amendment proposed by this joint resolution, adopted by two-thirds of both houses of Congress, is as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of the first paragraph of section three of Article I of the Constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all



intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

“ ‘The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

“ ‘When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

“ ‘This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.’ ”

I indulge the hope that this amendment to the Federal Constitution will be ratified without delay.

(Signed) WILLIAM SULZER.

Mr. Speaker announced the following standing committees for the session of 1913.

#### ON WAYS AND MEANS.

Messrs. Bush of Chemung; Levy of New York; Gurnett of Schuyler; Patrie of Greene; McDaniels of Tompkins; Evans of Sullivan; Rozan of Erie; Kelly, J. A., of Dutchess; Robinson of Suffolk; Pullman of Herkimer; Seeley of Steuben; Yale of Putnam; Adler of Monroe; Macdonald of Franklin; Shepardson of Chenango.

#### ON THE JUDICIARY.

Messrs. Goldberg of New York; McElligott of New York; Weil of New York; Cuvillier of New York; Greenberg, M., of New York; Donohue of New York; Gibbs of Bronx; O'Connor of Kings; O'Brien of Westchester; Phillips of Monroe; Sullivan of Chautauqua; Vert of Clinton; Schaap of New York.

#### ON GENERAL LAWS.

Messrs. McElligott of New York; Yard of Westchester; Silverstein of New York; Geyer of Erie; Eisner of New York; Grimme of Rockland; Hammer of Bronx; Lewis of New York; McCollum of Niagara; Prime of Essex; Smith, J. A., of St. Lawrence; Wood of Fulton-Hamilton; Jude of Chautauqua.

### ON CODES.

Messrs. McGrath of New York; Schwarz of Rensselaer; Greenberg, A., of New York; Dox of Schoharie; Carroll of New York; Deitz of Kings; Hamilton of Kings; Kelly, J. D., of New York; Cotillo of New York; Pembleton of Tioga; Richardson of Allegany; Knight of Wyoming; Sufrin of New York.

### ON AFFAIRS OF CITIES.

Messrs. Caughlan of New York; McGrath of New York; Kennedy of Queens; Heyman of Kings; Madden of Westchester; McKee of Richmond; Kerrigan of New York; Campbell of New York; Daley of Onondaga; Geoghan of Erie; Allen of Oneida; Smith, T. K., of Onondaga; Baumes of Orange.

### ON RAILROADS.

Messrs. McCue of New York; Gillen of Kings; Willmott of Kings; Taylor, T. D., of Rensselaer; Kenney of Ulster; Sutphin of Queens; Fitzgerald of Erie; Dennen of Kings; Kelly, J. J., of Kings; Monahan of Kings; Brereton of Warren; Norton of Washington; Seaker of St. Lawrence.

### ON ELECTRICITY, GAS AND WATER SUPPLY.

Messrs. Gillen of Kings; Caughlan of New York; McCue of New York; Farrell of Kings; Kerrigan of New York; Oxford of New York; Carver of New York; Larrimer of Kings; Kelly, P. J., of Onondaga; Hearn of Erie; Yale of Putnam; Smith, M., of Dutchess; Malone of Albany.

### ON INSURANCE.

Messrs. Walker of New York; Rozan of Erie; Kane of New York; Ward of New York; Kelly, J. D., of New York; Esquirol of Kings; Burr of Kings; Bovie of Westchester; Tudor of New York; Benninger of Queens; Horton of Erie; Pappert of Monroe; Machold of Jefferson.

### ON INTERNAL AFFAIRS.

Messrs. Evans of Sullivan; Patrie of Greene; Willard of Cattaraugus; Telford of Delaware; Kelly, P. J., of Onondaga; Dorst of Erie; Hughes of Seneca; Gallup of Monroe; Squire of Schenectady; Van Woert of Lewis; Sweet of Oswego; Bryant of Genesee; Hopkins of Monroe.

## ON BANKS.

Messrs. Heyman of Kings; Rozan of Erie; Taylor, T. D., of Rensselaer; Willard of Cattaraugus; Taylor, F. J., of Kings; Knott of New York; Gathright of Ulster; Maloney of Nassau; Ulrich of Kings; Hammer of Bronx; Richardson of Allegany; Norton of Washington; Seelye of Saratoga.

## ON TAXATION AND RETRENCHMENT.

Messrs. Weil of New York; Geoghan of Erie; Kenney of Ulster; Deitz of Kings; Donohue of New York; Fallon of Suffolk; Esquirol of Kings; Burr of Kings; Cotillo of New York; Lane of Bronx; Jones of Jefferson; Magee of Livingston; Baxter of Albany.

## ON PUBLIC EDUCATION.

Messrs. McKee of Richmond; Willmott of Kings; Larrimer of Kings; McMahon of Bronx; Fitzgerald of Erie; Doty of Orange; Grimme of Rockland; Lewis of New York; Hammer of Bronx; Schnirel of Ontario; Edwards of Broome; Webb of Cortland; Schaap of New York.

## ON AGRICULTURE.

Messrs. Cole of Orleans; Pullman of Herkimer; Doty of Orange; Hover of Columbia; Seeley of Steuben; Hughes of Seneca; Gallup of Monroe; Van Woert of Lewis; Maloney of Nassau; Dox of Schoharie; Yeomans of Wayne; Gillett of Yates; Fallett of Madison.

## ON PUBLIC HEALTH.

Messrs. McDaniels of Tompkins; Schifferdecker of Kings; Squire of Schenectady; Telford of Delaware; Kane of New York; Burden of Queens; Kornobis of Kings; Bovie of Westchester; Campbell of New York; Knott of New York; Bradley of Niagara; Webb of Cortland; Fuller of Oneida.

## ON AFFAIRS OF VILLAGES.

Messrs. Butts of Otsego; Gurnett of Schuyler; Grimme of Rockland; Gathright of Ulster; Yard of Westchester; Cole of Orleans; Robinson of Suffolk; Seeley of Steuben; Hover of Columbia; Van Woert of Lewis; Gage of Montgomery; Grace of Cayuga; Pembleton of Tioga.

## ON CANALS.

Messrs. Hearn of Erie; Small of Erie; Dennen of Kings; Finnigan of Kings; McCollum of Niagara; Sutphin of Queens; Squire of Schenectady; Fitzgerald of Erie; Daley of Onondaga; Cronin of Kings; Jones of Jefferson; Brereton of Warren; Seaker of St. Lawrence.

## ON EXCISE.

Messrs. Jackson of Erie; McCue of New York; McKeon of Kings; Walker of New York; Schifferdecker of Kings; Oxford of New York; Kiernan of New York; Burden of Queens; Denney of New York; Emden of Oneida; Smith, M., of Dutchess; Pappert of Monroe; Malone of Albany.

## ON LABOR AND INDUSTRIES.

Messrs. Patrie of Greene; Schifferdecker of Kings; Greenberg, M., of New York; Emden of Oneida; Pullman of Herkimer; Butts of Otsego; McMahon of Bronx; Benninger of Queens; Small of Erie; Cronin of Kings; Sullivan of Chautauqua; Phillips of Monroe; Edwards of Broome.

## ON REVISION.

Messrs. Schwarz of Rensselaer; Campbell of New York; Carroll of New York; Cotillo of New York; Denney of New York; Daley of Onondaga; Robinson of Suffolk; Dox of Schoharie; Bovie of Westchester; Smith, T. K., of Onondaga; Baumes of Orange; Knight of Wyoming; Jude of Chautauqua.

## ON CONSERVATION.

Messrs. Gurnett of Schuyler; Schwarz of Rensselaer; Fallon of Suffolk; Pullman of Herkimer; Hover of Columbia; Brewster of Steuben; Maloney of Nassau; Gathright of Ulster; Ingram of Kings; Sweet of Oswego; Jones of Jefferson; Macdonald of Franklin; Volk of Kings.

## ON COMMERCE AND NAVIGATION.

Messrs. Farrell of Kings; Willmott of Kings; Gibbs of Bronx; Taylor, F. J., of Kings; Ingram of Kings; Finnigan of Kings; Kelly, J. A., of Dutchess; Sutphin of Queens; Lane of Bronx; McMahon of Bronx; Seelye of Saratoga; Wood of Fulton-Hamilton; Magee of Livingston.

## ON CHARITABLE AND RELIGIOUS SOCIETIES.

Messrs. Willmott of Kings; Dennen of Kings; Eisner of New York; Kiernan of New York; O'Brien of Westchester; Emden of Oneida; Kelly, J. D., of New York; Brewster of Steuben; Hearn of Erie; Shepardson of Chenango; Tallett of Madison; Gillett of Yates; Volk of Kings.

## ON PENAL INSTITUTIONS.

Messrs. Madden of Westchester; Jackson of Erie; McElligott of New York; Carver of New York; Cole of Orleans; Kelly, J. J., of Kings; Hamilton of Kings; Yard of Westchester; Butts of Otsego; Gibbs of Bronx; Smith, M., of Dutchess; Grace of Cayuga; Vert of Clinton.

## ON MILITARY AFFAIRS.

Messrs. Cuvillier of New York; Kennedy of Queens; Knott of New York; Ward of New York; Carver of New York; O'Connor of Kings; Geyer of Erie; McCollum of Niagara; Horton of Erie; Brereton of Warren; Gage of Montgomery.

## ON PUBLIC PRINTING.

Messrs. Garvey of Kings; Farrell of Kings; Cronin of Kings; Dorst of Erie; Tudor of New York; Greenberg, A., of New York; Robinson of Suffolk; Burden of Queens; Gillett of Yates; Hopkins of Monroe; Schnirel of Ontario.

## ON PUBLIC INSTITUTIONS.

Messrs. Gallup of Monroe; Kornobis of Kings; Finnigan of Kings; Garvey of Kings; Hughes of Seneca; Taylor, T. D., of Rensselaer; Geoghan of Erie; Kane of New York; Yeomans of Wayne; Smith, J. A., of St. Lawrence; Machold of Jefferson.

## ON CLAIMS.

Messrs. Kerrigan of New York; Goldberg of New York; Carroll of New York; Ward of New York; Hamilton of Kings; Ingram of Kings; Geyer of Erie; Benninger of Queens; Bradley of Niagara; Bryant of Genesee; Fuller of Oneida.

## ON SOLDIERS' HOME.

Messrs. Brewster of Steuben; Monahan of Kings; Fallon of Suffolk; Small of Erie; Willard of Cattaraugus; Telford of

Delaware; Bryant of Genesee; Baxter of Albany; Bradley of Niagara; Fuller of Oneida; Jude of Chautauqua.

### ON PRIVILEGES AND ELECTIONS.

Messrs. Kennedy of Queens; Silverstein of New York; Lewis of New York; Denney of New York; Garvey of Kings; Finnigan of Kings; Greenberg, A., of New York; Tudor of New York; Allen of Oneida; Prime of Essex; Adler of Monroe.

### ON RULES.

Messrs. Smith, A. E., of New York; Levy of New York; Bush of Chemung; Jackson of Erie; McKeon of Kings; Hinman of Albany; Yale of Putnam.

### ON PRINTED AND ENGROSSED BILLS.

Messrs. Doty of Orange; Ulrich of Kings; Eisner of New York; Seaker of St. Lawrence; Grace of Cayuga; Sufrin of New York.

Mr. Speaker announced the following appointments for the session of 1913:

(See Appendix No. 1.)

The Clerk announced the following appointment for the session of 1913:

(See Appendix No. 2.)

Mr. Speaker presented the annual report of the Soldiers' and Sailors' Home at Bath, which was laid upon the table and ordered printed.

(See Assembly Document No. 8.)

Also, the annual report of the Comptroller, which was laid upon the table and ordered printed.

(See Assembly Document No. 10.)

Also, the annual report of the Department of Highways, which was laid upon the table and ordered printed.

(See Assembly Document No. 11.)

Also, the annual report of the State Superintendent of Elections, which was laid upon the table and ordered printed.

(See Assembly Document No. 9.)

Mr. Madden introduced a bill entitled "An act to promote the health and efficiency of firemen in the city of Yonkers" (Int. No.

1), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act to provide campaign badges for the officers and enlisted men who served in the army or navy of the United States during the Spanish, Philippine or China campaigns, and making an appropriation therefor" (Int. No. 2), which was read the first time and referred to the committee on ways and means.

Mr. Patrie introduced a bill entitled "An act to amend section thirty of article one of chapter thirty-three of the Laws of nineteen hundred and nine, entitled 'An act in relation to insurance corporations, constituting chapter twenty-eight of the Consolidated Laws,' as amended by chapter six hundred and thirty-four of the Laws of nineteen hundred and ten, in relation to appointment of attorney, and removal of cause to federal courts" (Int. No. 3), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Conservation Law, in relation to fish and game" (Int. No. 4), which was read the first time and referred to the committee on conservation.

Mr. Cuvillier introduced a bill entitled "An act providing for the relief of Louis Wendel" (Int. No. 5), which was read the first time and referred to the committee on military affairs.

Mr. Phillips introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to depositions" (Int. No. 6), which was read the first time and referred to the committee on codes.

Mr. Norton introduced a bill entitled "An act to repeal certain local laws relating to Washington county" (Int. No. 7), which was read the first time and referred to the committee on general laws.

Mr. Hinman introduced a bill entitled "An act providing for the submission to the vote of the people of the question of a convention to revise and amend the Constitution" (Int. No. 8), which was read the first time and referred to the committee on the judiciary.

Also, "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Consti-

tution, with reference to the qualification of voters ” (Int. No. 9), which was read the first time and referred to the committee on the judiciary.

Mr. Baumes introduced a bill entitled “An act to provide for the acquisition and preservation of Knox headquarters in the town of New Windsor, Orange county, and making an appropriation therefor ” (Int. No. 10), which was read the first time and referred to the committee on ways and means.

Mr. Campbell introduced a bill entitled “An act to amend the Greater New York charter, in regard to salaries ” (Int. No. 11), which was read the first time and referred to the committee on affairs of cities.

Mr. Sullivan introduced a bill entitled “An act to provide for the establishment of a fish hatchery in the county of Chautauqua, and making an appropriation therefor ” (Int. No. 12), which was read the first time and referred to the committee on ways and means.

Also, “An act to amend the Agricultural Law, in relation to the sale of farm produce on commission ” (Int. No. 13), which was read the first time and referred to the committee on agriculture.

Mr. Baxter introduced a bill entitled “An act making an appropriation for the payment of the State’s share of the expense of acquiring the bridge of The Cohoes and Lansingburgh Bridge Company, crossing the Hudson river between the counties of Albany and Rensselaer ” (Int. No. 14), which was read the first time and referred to the committee on ways and means.

Also, “An act providing for the construction of a bridge over the Mohawk river, at or near Crescent, in the county of Saratoga, including approaches to such bridge, and making an appropriation therefor ” (Int. No. 15), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled “An act to provide for a monument in the city of New York to commemorate the deeds of the soldiers of the Sixty-third, Sixty-ninth and the Eighty-eighth Regiment of New York Volunteer Infantry, Meagher’s Irish Brigade, which served in the War of the Rebellion from eighteen hundred and sixty-one to eighteen hundred and sixty-five, and to



make an appropriation therefor " (Int. No. 16), which was read the first time and referred to the committee on ways and means.

Also, " Concurrent resolution of the Senate and Assembly proposing an amendment to section nine of article five of the Constitution, relating to civil service appointments and promotions " (Int. No. 17), which was read the first time and referred to the committee on the judiciary.

Mr. Levy introduced a bill entitled "An act to amend the Highway Law, in relation to the punishment for violation thereof in the operation of motor vehicles " (Int. No. 18), which was read the first time and referred to the committee on internal affairs.

Mr. Cole introduced a bill entitled "An act making an appropriation for the organization and support of county farm bureaus in the various counties of the State " (Int. No. 19), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Highway Law, in relation to the establishment of a new State route, in the counties of Monroe and Orleans " (Int. No. 20), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Agricultural Law, in relation to the sale of farm produce on commission " (Int. No. 21), which was read the first time and referred to the committee on agriculture.

Mr. Grimme introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to notice of pendency of certain actions and proceedings " (Int. No. 22), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to docket of judgment " (Int. No. 23), which was read the first time and referred to the committee on codes.

Mr. Gurnett introduced a bill entitled "An act to amend the General Business Law, in relation to track scales for weighing car-load freight " (Int. No. 24), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the General Business Law, in relation to the approval of the type of weighing and measuring devices " (Int. No. 25), which was read the first time and referred to the committee on general laws.

Mr. Grimme introduced a bill entitled "An act to amend the General Corporation Law, in relation to filing notice of pendency in certain actions and proceedings affecting corporations" (Int. No. 26), which was read the first time and referred to the committee on the judiciary.

Mr. Cuvillier introduced a bill entitled "An act to amend subdivision one, section four hundred and eighty-four, chapter eighty-eight, Laws of nineteen hundred and nine, entitled "An act providing for the punishing of crime" (Int. No. 27), which was read the first time and referred to the committee on codes.

Mr. Campbell introduced a bill entitled "An act to amend the Labor Law, in relation to employers' liability" (Int. No. 28), which was read the first time and referred to the committee on labor and industries.

Mr. Walker introduced a bill entitled "An act to amend the Civil Service Law, in relation to the qualifications of persons appointed or employed in the civil service" (Int. No. 29), which was read the first time and referred to the committee on the judiciary.

Mr. M. Goldberg introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters" (Int. No. 30), which was read the first time and referred to the committee on the judiciary.

Also, "Concurrent resolution of the Senate and Assembly amending section five of article four of the Constitution, relating to reprieves, commutations and the pardons to be granted by the Governor" (Int. No. 31), which was read the first time and referred to the committee on the judiciary.

Mr. Hinman introduced a bill entitled "An act to amend the Public Service Commissions Law, relative to the appointment of members of such commissions" (Int. No. 32), which was read the first time and referred to the committee on railroads.

Mr. Madden introduced a bill entitled "An act to amend the Railroad Law, in relation to persons employed as drivers, conductors, motormen or gripmen" (Int. No. 33), which was read the first time and referred to the committee on railroads.

Mr. M. Goldberg introduced a bill entitled "An act to amend chapter six hundred and sixty-one of the Laws of nineteen hundred

and six, entitled 'An act to provide for a better arrangement, indexing and preservation of the records, documents, books, maps and papers, deposited or filed in the office of the clerk of the county of New York ' (Int. No. 34), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Penal Law, in relation to the punishment for Sabbath breaking " (Int. No. 35), which was read the first time and referred to the committee on codes.

Mr. Jackson introduced a bill entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission " (Int. No. 36), which was read the first time and referred to the committee on ways and means.

Mr. Hinman introduced a bill entitled "An act to amend the Legislative Law, creating a legislative bureau, prescribing its powers and duties and establishing a legislative library " (Int. No. 37), which was read the first time and referred to the committee on general laws.

Mr. M. Greenberg introduced a bill entitled "An act to provide a special proceeding for the recovery of damages from the State treasury for wrongful conviction in a criminal proceeding " (Int. No. 38), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Greater New York charter, in relation to consultation rooms for the courts in the city of New York " (Int. No. 39), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Code of Criminal Procedure, in relation to preferred calendar in criminal cases " (Int. No. 40), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Public Health Law, in relation to the practice of midwifery " (Int. No. 41), which was read the first time and referred to the committee on public health.

Also, "An act to vest the legislative branch of the city govern-

ment in cities of the first class with power to enact ordinances prescribing what acts relating to labor, occupation, traffic and sale and vending of commodities shall be lawful on the first day of the week, or Sunday, and to provide penalties for the violation thereof " (Int. No. 42), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the State Boards and Commissions Law, in relation to creating a board of old age pension commissioners, and to make an appropriation for its maintenance " (Int. No. 43), which was read the first time and referred to the committee on ways and means.

Also, "An act creating an efficiency bureau, defining its functions and making an appropriation therefor " (Int. No. 44), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act to amend chapter four hundred and eighty-one of the Laws of nineteen hundred and ten, being chapter forty-nine of the Consolidated Laws, known as the Railroad Law, by adding a section thereto prescribing the minimum number of employees to be employed in the operation of certain trains " (Int. No. 45), which was read the first time and referred to the committee on railroads.

Also, "An act making an appropriation for completing the construction of new buildings for the Buffalo State Normal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten " (Int. No. 46), which was read the first time and referred to the committee on ways and means.

Also, "An act to establish a State commission for improving the condition of the blind of the State of New York " (Int. No. 47), which was read the first time and referred to the committee on ways and means.

Mr. McElligott introduced a bill entitled "An act to incorporate the Harriman Research Laboratory " (Int. No. 48), which was read the first time and referred to the committee on the judiciary.

Mr. Larrimer introduced a bill entitled "An act to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, entitled 'An act in relation to illuminating gas in the city of New York, and regulating the quality and pressure thereof and

the price to consumers other than said city, and providing a penalty for violation,' in relation to price to be charged in certain wards in the borough of Brooklyn " (Int. No. 49), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. M. Greenberg introduced a bill entitled " Concurrent resolution of the Senate and Assembly proposing an amendment to article one of the Constitution by adding a new section in relation to employer's liability for injury by employees in the course of their employment " (Int. No. 50), which was read the first time and referred to the committee on the judiciary.

Mr. Malone introduced a bill entitled "An act making an appropriation for the purchase of an addition to the site of the State Normal College in Albany " (Int. No. 51), which was read the first time and referred to the committee on ways and means.

Mr. Kerrigan introduced a bill entitled "An act to amend the Public Health Law, generally " (Int. No. 52), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Penal Law, in relation to the sale of cocaine, eucaine and other drugs " (Int. No. 53), which was read the first time and referred to the committee on codes.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the Adjutant-General of the State " (Int. No. 54), which was read the first time and referred to the committee on military affairs.

Mr. Bush introduced a bill entitled "An act making an appropriation to provide for the compensation and expenses of persons appointed by the Governor to examine and investigate departments, boards, bureaus and commissions of the State " (Int. No. 55), which was read the first time and referred to the committee on ways and means.

Mr. Hinman offered for the consideration of the House a resolution, in the words following:

Whereas, The Governor, under authority conferred upon him by section 8 of the Executive Law, has appointed a committee, consisting of three persons, to examine and investigate the management and affairs of the Executive and other State departments, boards, bureaus, commissions, and offices, for the purpose of ascer-

taining and recommending improved methods of administering the affairs of the State, whereby there shall be increased efficiency in administration, the elimination of useless boards, bureaus and offices, and greater economy in the administration of the State government; and

Whereas, Under the said section 8 of the Executive Law, such committee will have no authority to examine and investigate as to expenditures for legislative purposes; and

Whereas, There is demand for the increase of efficiency on the part of legislative officers and employees, combined with the economical expenditure of legislative funds, and the same necessity for improved methods of accounting for and auditing of legislative expenditures, as in the case of State departments and offices; therefore,

Resolved (if the Senate concur), That the persons so appointed by the Governor pursuant to the provisions of section 8 of the Executive Law, are hereby authorized and directed to extend their examination and investigation to the affairs of the Legislature, in conjunction with a committee of the Senate and Assembly, composed of two Senators, to be appointed by the President of the Senate, and three Assemblymen, to be appointed by the Speaker of the Assembly, for the purpose of investigating matters of legislative employes, the printing of legislative bill, documents and reports, expenditures for stationery, furniture and other supplies, postage, expressage or other shipment of legislative bills, documents, books and reports, the expenses of regular and special legislative committees, and other contingent and regular expenses of the Legislature, together with the methods of accounting therefor and auditing thereof. That the said persons are hereby authorized and directed, after such examination and investigation, to report their findings to the Legislature and Governor, together with recommendations as to offices and positions which may properly be eliminated in the interest of economy, or which may properly be added in the interest of efficiency, as to the most efficient and economical method of printing legislative bills, documents and reports, as to the best means of curtailing the regular and contingent expenses of the Legislature, and as to the best methods of accounting for money appropriated for expenses of the Legislature and the auditing of bills for such expenses. With reference to such investigation the said committee shall have and may exercise the powers conferred by said section 8 of the Executive Law.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Levy offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Clerk of the Senate and the Clerk of the Assembly be and hereby are authorized and directed to purchase such law and reference books and publications, including Clerk's Manuals as may be required for the Senate and Assembly Libraries and for the use of the various committees and the Legislature; the same to be paid for out of the appropriation for the contingent expenses of the Legislature upon the certificate of the Clerk of the Senate or Assembly, respectively.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

AYES 140

NOES 00

Those who voted in the affirmative were:

Adler	Emden	Hopkins	McCue	Silverstein
Baumes	Esquirol	Horton	McCollum	Small
Baxter	Evans	Hughes	McElligott	Smith J A
Bovie	Fallon	Ingram	McDaniels	Smith M
Bradley	Farrell	Jackson	McGrath	Smith T K
Brereton	Fitzgerald	Jones	McKee	Squire
Brewster	Finnigan	Kane	McKeon	Sullivan
Bryant	Fuller	Kelly J A	McMahon	Sutphin
Burden	Gage	Kelly J J	Norton	Sweet
Burr	Gallup	Kelly J D	O'Brien	Telford
Bush	Garvey	Kelly P J	O'Connor	Tallett
Campbell	Gathright	Kenney	Oxford	Taylor F J
Carroll	Geyer	Kennedy	Pappert	Taylor T D
Carver	Geoghan	Kerrigan	Patrie	Tudor
Caughlan	Gibbs	Kiernan	Pembleton	Van Woert
Cole	Gillen	Knight	Phillips	Vert
Cotillo	Gillett	Knott	Prime	Volk
Cronin	Goldberg	Kornobis	Pullman	Walker
Cuvillier	Grace	Lane	Richardson	Ward
Daley	Greenberg A	Larrimer	Robinson	Webb
Dennen	Greenberg M	Levy	Rozan	Weil
Denney	Grimme	Lewis	Schifferdecker	Willard
Donohue	Gurnett	Macdonald	Schnirel	Wood
Dorst	Hamilton	Machold	Schwarz	Willmott
Doty	Hearn	Madden	Seaker	Ulrich
Dox	Heyman	Magee	Seely J L	Yale
Edwards	Hinman	Malone	Seelye G T	Yard
Eisner	Hover	Maloney	Shepardson	Yeomans

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hinman gives notice that on Monday night, January 13th, he will move to amend the rules of the Assembly as follows:



1. Amend Rule 6 by adding at the end thereof a paragraph to read as follows:

*No private or local bill shall be introduced after the first day of March, except by message from the Senate.*

2. Amend Rule 20 to read as follows:

*Committee hearings shall be had only after public announcement of the same by the clerk from the desk at least one day prior to the date assigned for the hearing, giving the title of the bill, its printed number, name of introducer, committee holding the hearing, and the time and place of hearing. All sessions of committees shall be public sessions. The roll shall be called in public upon the reporting of bills or other matters referred to such committee. A report of a committee must contain the names of the members of the committee who voted for or against the report of the bill or other matter reported on, and a record of such roll-call shall be entered upon the journal of the House. A report of the committee must also contain the name of the committee making the same, the name of the introducer of the bill or other matter reported on; the title, if a bill, with the numbers thereof and the fact as to whether reported favorably, with or without amendments, for the consideration of the House or adversely. If the report be on a resolution, petition, memorial or remonstrance it must contain the recommendations, if any, of the committee thereon.*

Which was referred to the committee on rules.

Mr. Hinman gives notice that on Monday evening, January 13th, he will call up his resolution relative to the investigation of legislative affairs.

Dated, January 6, 1913.

On motion of Mr. Levy, the House adjourned.

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## TUESDAY, JANUARY 7, 1913.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Goldberg introduced a bill entitled "An act to provide for the laying out of a public park or playground in the city of New



York, bounded by Sixty-seventh and Sixty-eighth streets and by First and Second avenues in the borough of Manhattan ” (Int. No. 56), which was read the first time and referred to the committee on affairs of cities.

Mr. Kennedy introduced a bill entitled “An act to amend the Civil Service Law with reference to the positions held by soldiers, sailors, marines and volunteer firemen ” (Int. No. 57), which was read the first time and referred to the committee on the judiciary.

Mr. Lewis introduced a bill entitled “Concurrent resolution of the Senate and Assembly proposing amendment to section four of article two of the Constitution ” (Int. No. 58), which was read the first time and referred to the committee on the judiciary.

Mr. Schwarz introduced a bill entitled “An act making an appropriation for the payment of the State’s share of the expense of acquiring the bridge of the Stillwater Bridge Company crossing the Hudson river between the counties of Saratoga and Rensselaer ” (Int. No. 59), which was read the first time and referred to the committee on ways and means.

Also, “An act to amend the Code of Civil Procedure, relative to the manner of serving citations on judicial accounting where the number of persons to be served exceeds two hundred and fifty ” (Int. No. 61), which was read the first time and referred to the committee on codes.

Also, “An act making an appropriation for the payment of the State’s share of the expense of acquiring the Union Bridge crossing the Hudson river between the counties of Saratoga and Rensselaer ” (Int. No. 60), which was read the first time and referred to the committee on ways and means.

Also, “An act to amend chapter five hundred and fifty-seven, Laws of eighteen hundred and ninety-four, entitled ‘An act to provide for a commission of jurors in counties containing cities of from ninety to ninety-six thousand inhabitants,’ as amended by chapter six hundred seventy-nine of the Laws of eighteen hundred and ninety-six ” (Int. No. 62), which was read the first time and referred to the committee on general laws.

Mr. Bovie introduced a bill entitled “An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester ” (Int. No. 63), which was read the first time and referred to the committee on general laws.

Mr. Gallup introduced a bill entitled "An act to amend the Tax Law, in relation to the salaries of transfer tax clerks in the surrogate's court, Monroe county" (Int. No. 64), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend chapter one hundred and forty-seven of the Laws of nineteen hundred and three, entitled 'An act making provision for issuing bonds to the amount of not exceeding one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' as amended by chapter three hundred and sixty-five of the Laws of nineteen hundred and six, chapter one hundred and ninety-six of the Laws of nineteen hundred and eight and chapter two hundred and seventy-three of the Laws of nineteen hundred and nine, to provide that the supreme court shall have jurisdiction to determine the amount of compensation to be paid for lands appropriated for barge canal and providing the procedure therefor" (Int. No. 65), which was read the first time and referred to the committee on ways and means.

Mr. Eisner introduced a bill entitled "An act to amend the Code of Criminal Procedure in relation to remissions of fine" (Int. No. 66), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to advertisement" (Int. No. 67), which was read the first time and referred to the committee on codes.

Mr. McElligott introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to substituted service of the summons" (Int. No. 68), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to personal service of summons" (Int. No. 69), which was read the first time and referred to the committee on codes.

Mr. Hammer introduced a bill entitled "An act to amend the Railroad Law, in relation to the rate of fare on railroads operated by steam in cities of over one million inhabitants" (Int. No.

70), which was read the first time and referred to the committee on railroads.

Also, "An act to amend the Railroad Law, in relation to the establishment of stations and the stopping of trains thereat" (Int. No. 71), which was read the first time and referred to the committee on railroads.

Mr. Squire introduced a bill entitled "An act to amend the Education Law, in relation to establishing a law library in the county of Schenectady" (Int. No. 72), which was read the first time and referred to the committee on ways and means.

Mr. Pullman introduced a bill entitled "An act to legalize the street paving bonds of the village of Ilion, Herkimer county, New York" (Int. No. 73), which was read the first time and referred to the committee on the judiciary.

The Senate returned the concurrent resolution authorizing the Clerks of the Senate and Assembly to purchase law and reference books, with a message that they have concurred in the passage of the same without amendment.

On motion of Mr. Levy, the House adjourned.

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### WEDNESDAY, JANUARY 8, 1913.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

The Speaker presented the annual report of the State Engineer and Surveyor, which was laid upon the table and ordered printed.

(See Senate Document No. 13.)

Mr. Bush introduced a bill entitled "An act to amend the Public Lands Law, in relation to the creation of a commission to have jurisdiction and control of the Newtown Battlefield Reservation, and making an appropriation therefor" (Int. No. 74), which was read the first time and referred to the committee on ways and means.

Also, "An act providing for the acquisition of lands in the vicinity of the Capitol and State Education Building" (Int. No. 75), which was read the first time and referred to the committee on ways and means.

Mr. Carver introduced a bill entitled "An act to amend the Election Law, generally" (Int. No. 76), which was read the first time and referred to the committee on the judiciary.

Mr. M. Greenberg introduced a bill entitled "An act to amend the Judiciary Law, in relation to the furnishing of copies of proceedings to parties in civil and criminal actions" (Int. No. 77), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Education Law, in relation to a State training school for farmers" (Int. No. 78), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend an act entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' approved April fourteenth, nineteen hundred and two" (Int. No. 79), which was read the first time and referred to the committee on codes.

Also, "An act to provide for the care and maintenance of widows, orphans and dependent children of widows" (Int. No. 80), which was read the first time and referred to the committee on the judiciary.

Mr. Jackson introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing amendments to article eight, section ten of the Constitution, excepting from the provisions of said section fixing a limitation of indebtedness of counties, cities, towns and villages, debts incurred by cities of the first class after the first day of January, nineteen hundred and four, to provide for the supply of water" (Int. No. 81), which was read the first time and referred to the committee on the judiciary.

Mr. Kornobis introduced a bill entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to exempted parts of the borough of Brooklyn, city of New York" (Int. No. 82), which was read the first time and referred to the committee on affairs of cities.

Mr. McKee introduced a bill entitled "An act to amend chapter three hundred and ninety-two of the Laws of eighteen hundred and ninety-six, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Richmond county, and to prescribe the effect thereof, to provide for the support of prisoners in the jail in the county of Richmond, and to fix the duties and compensation of the sheriff of said county and of certain employees in the jail of said county, in relation to the salaries of appointees by the sheriff'" (Int. No. 83), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay" (Int. No. 84), which was read the first time and referred to the committee on conservation.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to surety companies" (Int. No. 85), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the policy or certificate of a life or casualty insurance corporation upon the co-operative or assessment plan" (Int. No. 86), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to rate making associations" (Int. No. 87), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Stock Corporation Law, in relation to the certificate of increase or reduction of capital stock of a banking or insurance corporation" (Int. No. 88), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to organizations in assisting in establishing insurance rates" (Int. No. 89), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the General Corporation Law, in relation to corporate names" (Int. No. 90), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign insurance

corporation " (Int. No. 91), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the General Corporation Law, in relation to the extension of corporate existence of insurance and banking corporations " (Int. No. 92), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to brokers " (Int. No. 93), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Penal Law, in relation to discriminations and rebates by corporations transacting the business of life insurance on the co-operative or assessment plan " (Int. No. 94), which was read the first time and referred to the committee on insurance.

Also, "An act to repeal chapter eighty-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to provide the minimum capital stock required for the organization of fire or marine insurance corporations " (Int. No. 95), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations " (Int. No. 96), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to organizations for assisting underwriters in insurance business generally " (Int. No. 97), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to misrepresentations by certain insurance corporations " (Int. No. 98), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to agents " (Int. No. 99), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Penal Law, in relation to the issuance or circulation of false literature by insurance corporations " (Int. No. 100), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to life or casualty insurance corporations upon the co-operative or assessment plan" (Int. No. 101), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, generally" (Int. No. 102), which was read the first time and referred to the committee on insurance.

Mr. G. T. Seelye introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to general requisites of execution" (Int. No. 103), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the fees of public officers" (Int. No. 104), which was read the first time and referred to the committee on codes.

Mr. Pullman introduced a bill entitled "An act to amend the Town Law, in relation to the compensation of town officers" (Int. No. 105), which was read the first time and referred to the committee on internal affairs.

Mr. Schifferdecker introduced a bill entitled "An act to provide for the acquisition and preservation of the historic house and grounds formerly owned and occupied by General Nicholas Herkimer in the town of Danube in the county of Herkimer, and making an appropriation therefor" (Int. No. 106), which was read the first time and referred to the committee on ways and means.

Mr. Rozan introduced a bill entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' as amended by chapter three hundred and thirty-nine of the Laws of nineteen hundred and ten, in relation to compensation of jurors in said court" (Int. No. 107), which was read the first time and referred to the committee on the judiciary.

Also, "An act authorizing the common council and mayor of the city of Buffalo to lease or grant a right to use to abutting owners on the north side of Sienkiewicz place in said city a strip of land of said street not to exceed six feet in width" (Int. No. 108), which was read the first time and referred to the committee on affairs of cities.



Mr. Hughes introduced a bill entitled "An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class" (Int. No. 109), which was read the first time and referred to the committee on affairs of villages.

Mr. Grimme introduced a bill entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally" (Int. No. 110), which was read the first time and referred to the committee on ways and means.

Mr. Yard introduced a bill entitled "An act to amend the Town Law, in relation to the compensation of town-auditors" (Int. No. 111), which was read the first time and referred to the committee on internal affairs.

Mr. Levy introduced a bill entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United States Senators by the people of the several States" (Int. No. 112), which was read the first time and referred to the committee on the judiciary.

Mr. Knight introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to recovering on forfeited bail" (Int. No. 113), which was read the first time and referred to the committee on codes.

Mr. Maloney introduced a bill entitled "An act to amend the Membership Corporations Law, to prohibit the formation of cemetery corporations to operate in the county of Nassau, and to prohibit the acquiring, setting apart or using of land for cemetery purposes in said county except for family cemeteries" (Int. No. 114), which was read the first time and referred to the committee on the judiciary.

Also, "An act to repeal section three hundred and thirty-two of the Conservation Law, in relation to nets in Far Rockaway bay, Jones' inlet or adjacent waters" (Int. No. 115), which was read the first time and referred to the committee on conservation.

Mr. Kennedy introduced a bill entitled "An act to amend the



Greater New York charter, in relation to the transfer of water meters and repairs thereto, in the city of New York " (Int. No. 116), which was read the first time and referred to the committee on affairs of cities.

Mr. Fallon introduced a bill entitled "An act to amend the Conservation Law, in relation to the open season for water fowl on Long Island " (Int. No. 117), which was read the first time and referred to the committee on conservation.

Mr. Kerrigan introduced a bill entitled "An act to amend the General Municipal Law, in relation to plumbing and drainage in cities and in certain villages, and repealing article four of the General City Law " (Int. No. 118), which was read the first time and referred to the committee on general laws.

Mr. Weil introduced a bill entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks " (Int. No. 119), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Malone introduced a bill entitled "An act to establish a firemen's pension fund and insurance fund in the city of Albany, and repealing certain acts in relation thereto known as chapter one hundred and seventy-three of the Laws of eighteen hundred and eighty-three, chapter three hundred and thirty-two of the Laws of eighteen hundred and eighty-five and chapter four hundred and eleven of the Laws of eighteen hundred and eighty-six " (Int. No. 120), which was read the first time and referred to the committee on cities.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill introduced by Mr. Cuvillier (No. 54, Int. No. 54), entitled "An act to amend the Military Law, in relation to the Adjutant-General of the State," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Levy, the House adjourned.

## THURSDAY, JANUARY 9, 1913.

The House met pursuant to adjournment.

Prayer by Rev. James S. Kittell.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Cronin introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the county courts" (Int. No. 121), which was read the first time and referred to the committee on the judiciary.

Mr. M. Greenberg introduced a bill entitled "An act to amend chapter seven hundred and seventy-nine of the Laws of nineteen hundred and eleven establishing a State athletic commission, and regulating boxing and sparring in the State of New York" (Int. No. 122), which was read the first time and referred to the committee on ways and means.

Mr. Hughes introduced a bill entitled "An act to amend the Village Law, in relation to boards of commissioners" (Int. No. 123), which was read the first time and referred to the committee on affairs of villages.

Mr. Ingram introduced a bill entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan Crossing in Kings county" (Int. No. 124), which was read the first time and referred to the committee on railroads.

Mr. McDaniels introduced a bill entitled "An act to amend the County Law, relative to tuberculosis hospitals" (Int. No. 125), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the County Law, in relation to county hospitals for tuberculosis" (Int. No. 126), which was read the first time and referred to the committee on internal affairs.

Mr. Patrie introduced a bill entitled "An act to amend the Conservation Law, in relation to fish and game" (Int. No. 127), which was read the first time and referred to the committee on conservation.

Mr. Telford introduced a bill entitled "An act to amend the Highway Law, in relation to the description of route five-a to be constructed or improved by the State" (Int. No. 128), which was read the first time and referred to the committee on internal affairs.

Mr. Fallon introduced a bill entitled "An act to provide for deepening and widening of the channel of the Peconic river from Indian island to Riverhead town dock in the county of Suffolk, and making an appropriation therefor" (Int. No. 129), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act to amend the Labor Law, in relation to the employment of children under fourteen years in or for a factory" (Int. No. 130), which was read the first time and referred to the committee on labor and industries.

Mr. McElligott, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Levy (No. 112, Int. No. 112), entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United States Senators by the people of the several States," reported in favor of the passage of the same without amendment, which report was read to, and said bill placed on the order of second reading.

Mr. McElligott, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. ——— (No. 30, Int. No. 30), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters," reported in favor of the passage of the same, with the following amendments:

Page 1, line 3, strike out bracket at beginning of line. Same line enclose the word "male" in brackets. Strike out bracket at end of line.

Strike out all of line 4.

Line 8, after the word "he," insert in italics "or she".

Line 10, after the word "he" insert in italics "or she".

Page 2, line 3, after word "his" insert in italics "or her".

## THURSDAY, JANUARY 9, 1913.

The House met pursuant to adjournment.

Prayer by Rev. James S. Kittell.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Cronin introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the county courts" (Int. No. 121), which was read the first time and referred to the committee on the judiciary.

Mr. M. Greenberg introduced a bill entitled "An act to amend chapter seven hundred and seventy-nine of the Laws of nineteen hundred and eleven establishing a State athletic commission, and regulating boxing and sparring in the State of New York" (Int. No. 122), which was read the first time and referred to the committee on ways and means.

Mr. Hughes introduced a bill entitled "An act to amend the Village Law, in relation to boards of commissioners" (Int. No. 123), which was read the first time and referred to the committee on affairs of villages.

Mr. Ingram introduced a bill entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan Crossing in Kings county" (Int. No. 124), which was read the first time and referred to the committee on railroads.

Mr. McDaniels introduced a bill entitled "An act to amend the County Law, relative to tuberculosis hospitals" (Int. No. 125), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the County Law, in relation to county hospitals for tuberculosis" (Int. No. 126), which was read the first time and referred to the committee on internal affairs.

Mr. Patrie introduced a bill entitled "An act to amend the Conservation Law, in relation to fish and game" (Int. No. 127), which was read the first time and referred to the committee on conservation.

Mr. Telford introduced a bill entitled "An act to amend the Highway Law, in relation to the description of route five-a to be constructed or improved by the State" (Int. No. 128), which was read the first time and referred to the committee on internal affairs.

Mr. Fallon introduced a bill entitled "An act to provide for deepening and widening of the channel of the Peconic river from Indian island to Riverhead town dock in the county of Suffolk, and making an appropriation therefor" (Int. No. 129), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act to amend the Labor Law, in relation to the employment of children under fourteen years in or for a factory" (Int. No. 130), which was read the first time and referred to the committee on labor and industries.

Mr. McElligott, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Levy (No. 112, Int. No. 112), entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United States Senators by the people of the several States," reported in favor of the passage of the same without amendment, which report was read to, and said bill placed on the order of second reading.

Mr. McElligott, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. ——— (No. 30, Int. No. 30), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters," reported in favor of the passage of the same, with the following amendments:

Page 1, line 3, strike out bracket at beginning of line. Same line enclose the word "male" in brackets. Strike out bracket at end of line.

Strike out all of line 4.

Line 8, after the word "he," insert in italics "or she".

Line 10, after the word "he" insert in italics "or she".

Page 2, line 3, after word "his" insert in italics "or her".

Line 3, after " his ", second occurring, insert in italics " or her ".

Line 8, strike out all after word " reside ".

Strike out all of lines 9 to 15 inclusive.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

The bill (No. 54, Int. No. 54) entitled "An act to amend the Military Law, in relation to the Adjutant-General of the State," having been announced,

Mr. Cuvillier moved to amend as follows:

Page 1, line 3, insert quotation marks after " laws ".

Page 1, line 4, strike out everything before the word " is " and insert in place thereof " as amended by chapter two hundred and eighty-one of the Laws of nineteen hundred and eleven," and in the same line strike out " so as ".

Page 1, line 10, after " employees," and before the ensuing period, insert " and as many laborers as may be required from time to time ".

Page 2, line 17, italicise the comma after the word " expenses ".

Page 2, line 18, insert a comma within the bracket after the word " expressage ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

On motion of Mr. Levy, the House adjourned.

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### FRIDAY, JANUARY 10, 1913.

The House met pursuant to adjournment.

Mr. Bush in the chair.

Prayer by Rev. W. T. Bazaar.

On motion of Mr. Cuvillier, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Farrimer introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million " (Int. No. 131), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to permit the board of estimate and apportionment of the city of New York to place a portion of Sixty-fifth street in the borough of Brooklyn under the care, custody, control and maintenance of the department of parks of the city of New York" (Int. No. 132), which was read the first time and referred to the committee on affairs of cities.

Mr. Madden introduced a bill entitled "An act to amend the Second Class Cities Law, in relation to the creation of funded indebtedness" (Int. No. 133), which was read the first time and referred to the committee on affairs of cities.

Mr. McCue introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to the issuance and limitation of certificates for traffic under subdivisions one and two of section eight; notices of abandonment and applications to transfer certificates" (Int. No. 134), which was read the first time and referred to the committee on excise.

Mr. O'Brien introduced a bill entitled "An act to amend the Town Law, in relation to limitation of credit of towns and counties" (Int. No. 135), which was read the first time and referred to the committee on internal affairs.

Also, "An act to release the interest of the State of New York in the property and estate of Margaret E. Tompkins, deceased, to the heirs and next of kin of Noah D. Tompkins, deceased" (Int. No. 136), which was read the first time and referred to the committee on ways and means.

Mr. Schwarz introduced a bill entitled "An act to amend chapter fifty-five of the Laws of nineteen hundred and nine, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' in relation to municipal lighting" (Int. No. 137), which was read the first time and referred to the committee on affairs of cities.

Mr. T. D. Taylor introduced a bill entitled "An act to legalize any irregularity, omission or error in the making, levying and assessment of State and county taxes in the county of Rensselaer" (Int. No. 138), which was read the first time and referred to the committee on the judiciary.

Mr. Pullman introduced a bill entitled "An act to amend chapter one hundred and thirty-two of the Laws of nineteen hundred and eleven, entitled 'An act to provide for certain improvements in the channel and banks of the Mohawk river and West Canada

creek, made necessary by the building of the Barge canal, and making an appropriation therefor" (Int. No. 139), which was read the first time and referred to the committee on ways and means.

Mr. Bush introduced a bill entitled "An act making an appropriation for the investigation, care, maintenance and improvement of the State Reservation at Saratoga Springs" (Int. No. 140), which was read the first time and referred to the committee on ways and means.

The bill (No. 112, Int. No. 112), entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United States Senators by the people of the several States," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

On motion of Mr. Cuvillier, the House adjourned.

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### MONDAY, JANUARY 13, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Wm. R. Charles.

On motion of Mr. Levy, the reading of the journal of Friday, January 10th, was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the New York Institution for the Blind, which was laid upon the table and ordered printed.

(See Assembly Document No. 5.)

Also, the annual report of the Poppenhusen Institute, which was laid upon the table and ordered printed.

(See Assembly Document No. 13.)

Also, the Thirteenth Annual Report of the Commissioners of the Palisades Interstate Park, which was laid upon the table and ordered printed.

(See Assembly Document No. 4.)



Also, the Twelfth Annual Report of the New York State Hospital for the Care of Crippled and Deformed Children, which was laid upon the table and ordered printed.

(See Assembly Document No. 38.)

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *January 13, 1913.*

*To the Legislature:*

In my recent message to your honorable bodies I recommended for your careful consideration, the conservation of the natural resources of the State, and their development and utilization for the benefit of all the people.

We are the trustees of future generation. We must protect and preserve the rights of those who came after us. We should be true to our trust. This is the duty of the day and the real solution of the problem of true conservation.

The State of New York, in my opinion, is now committed to the policy of conserving all of its natural resources, and particularly of developing our vast water powers, so that they may be of benefit to all the people of the State.

In this connection I desire to call your official attention to the unconstitutionality of a charter which was attempted to be granted by the Legislature of 1907 to the Long Sault Development Company by chapter 355 of the Laws of 1907.

Pursuant to a resolution of the Senate of this State, the Attorney-General, after careful and exhaustive consideration, transmitted to the Senate on January 1, 1913, in the form of an opinion, his conclusions as to the validity of the said act.

Suffice it to say that I am fully in accord with the able opinion of the Attorney-General, which clearly demonstrates that said act is unconstitutional and void for the following reasons:

1. That the act in question contravenes section 18 of Article III of the State Constitution, which provides that the Legislature shall not pass a private or local bill, granting to any private corporation, association or individual any exclusive privilege, immunity or franchise whatever. This bill is private and local and grants an exclusive privilege, as contemplated by section 18 of Article III of the Constitution.

2. It violates section 7 of Article VII of the State Constitution, which provides that the lands of the State now owned or hereafter acquired, constituting the Forest Preserve as now fixed by law, shall be forever kept as wild forest lands, and shall not be leased, sold or exchanged or taken by any corporation, public or private.

The bed of the St. Lawrence river, which, by the act in question, is directed to be conveyed to the Long Sault Development Company, is owned by the State and was so owned at the time the provision of the Constitution was adopted, and was included within the Forest Preserve, as defined by section 100 of chapter 332 of the Laws of 1893, describing the lands included within the State Forest Preserve.

3. The act in question is a private bill and embraces more than one subject, and is, therefore, in violation of Article III, section 16 of the State Constitution, which provides that no private or local bill which may be passed by the Legislature shall embrace more than one subject, and that shall be expressed in its title.

4. The act is invalid as being in excess of the powers of the Legislature, in that it provides for the alienation by the State to the Long Sault Development Company of title to the land in the bed of the St. Lawrence river. The title of the State in those lands is a sovereign right, rather than a proprietary title. It is inconsistent with that right, which must be exercised for the benefit of the whole people, that the title to the bed of a navigable stream should be granted in fee to a private corporation.

The Attorney-General, the State Conservation Commission, and myself are convinced that this act is void and unconstitutional, and that the appropriate action to be taken by the Legislature at this time is to repeal the said act.

Let me say further that I am advised by the Comptroller that certain sums of money have been paid into the State treasury by the Long Sault Development Company, as required by certain terms of the said act. I respectfully suggest to your honorable bodies that such sums should be repaid to the Long Sault Development Company, together with interest.

In regard to any valid and legal claims which the Long Sault Development Company may have against the State of New York, by reason of the repeal by the Legislature of the said act, I suggest that the same be referred to the Board of Claims for its determination.

Not only is said act violative of the provisions of our State Constitution, but its provisions are in other respects improvident, unwise and indefensible, both from an industrial and an economical point of view.

The State Conservation Commission reports:

“The vast power available at this place constitutes one of the State’s greatest natural resources. The advances in the art of electrical transmission make it economically feasible to use the same throughout the State. At present it is going to waste. It is for the interest of all that this power should be developed and utilized by the people and for the people.

Cheap power will enlarge the use of electricity for domestic and commercial purposes; stimulate industry; increase our wealth and add to our population. Private interests should not be allowed to exploit and monopolize the same. The State should develop this power for the benefit of the ultimate consumer."

Investigations made by the engineers of the State Conservation Commission demonstrate, among other things, that a full economic development at the Long Sault rapids will produce one billion (1,000,000) horse-power, of which, by treaty arrangement with Canada, it is to be expected that New York will receive no less than one-half. It is hard to conceive of the vastness of five hundred thousand (500,000) horse-power transmuted into electrical energy. It is nearly three-quarters of the sum total of all the water powers now developed in New York State, including that at Niagara. It is estimated to be more than sufficient to run one-third of all the industries of our State, which are now operated by steam power, exclusive of steam railways, but inclusive of electric railways. These two facts may help to show the importance of this vast power to the industrial welfare of our State.

This immense power, so valuable to our people, is at a transmission distance of 340 miles from New York city, or about 40 miles nearer than Niagara Falls. It is only 180 miles from Syracuse and about the same distance from Albany. Great strides are being made in improving mechanical contrivances for transmitting hydro-electric power under high tension, and recent inventions and improvements make it probable that in the near future such power can be carried and transmitted with industrial and economical efficiency over vast distances.

At present it is reported as practicable to transmit power from the Long Sault rapids to New York city for steady, continuous loads much cheaper than such loads can now be carried with steam power. This will inevitably result in a great saving to the consumer, and be of inestimable value to the State.

In order that we secure for all our citizens the many and the lasting beneficial results of the proper development of our natural resources, particularly of our now unused water powers, in accordance with our constructive policy in these matters, to which our State now stands committed, I respectfully recommend that chapter 355 of the Laws of 1907 — the Long Sault Development Company's charter — be immediately repealed.

WILLIAM SULZER.

which was laid upon the table and ordered printed.

(See Senate Document No. 6.)

Mr. Bush introduced a bill entitled "An act making an appropriation for the purpose of repairing and reconstructing the dikes and repairing the banks of the Chemung river in the city of Elmira" (Int. No. 141), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revised the charter of the city of Elmira,' relating to limitation of moneys to be raised for defraying city expenses" (Int. No. 142), which was read the first time and referred to the committee on affairs of cities.

Mr. Hinman introduced a bill entitled "An act to amend the General City Law, relative to the adoption and enactment of city charters" (Int. No. 143), which was read the first time and referred to the committee on affairs of cities.

Mr. Jones introduced a bill entitled "An act to amend the Railroad Law, in relation to delays in furnishing freight cars by railroad corporations" (Int. No. 144), which was read the first time and referred to the committee on railroads.

Mr. Patric introduced a bill entitled "An act to amend the Code of Civil Procedure, relative to cases in which the service of summons by publication, et cetera, may be ordered" (Int. No. 145), which was read the first time and referred to the committee on affairs of cities.

Mr. Rozan introduced a bill entitled "An act to amend chapter two hundred and eighty-one of the Laws of nineteen hundred and twelve, entitled 'An act to authorize the city of Buffalo to issue sinking fund water bonds for the purpose of raising money to pay and retire water bonds for which no sinking fund is provided,' authorizing the payment and retirement also of outstanding refunding bonds issued heretofore to pay and retire such water bonds, and relating to the rate of interest and place of payment of such sinking fund water bonds" (Int. No. 146), which was read the first time and referred to the committee on affairs of cities.

Mr. Weil introduced a bill entitled "An act to amend the Labor

Law, in relation to the payment of wages " (Int. No. 147), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the General Business Law, in relation to pawnbrokers " (Int. No. 148), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Code of Criminal Procedure, in relation to furnishing the defendant in a criminal action with a transcript of the grand jury minutes in certain cases " (Int. No. 149), which was read the first time and referred to the committee on codes.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance " (Int. No. 150), which was read the first time and referred to the committee on insurance.

Mr. Phillips introduced a bill entitled "An act making an appropriation for the abolition of the grade crossing at Brown street in the city of Rochester " (Int. No. 151), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter, in relation to the uniformed force of the fire department " (Int. No. 152), which was read the first time and referred to the committee on affairs of cities.

Mr. Emden introduced a bill entitled "An act to amend the Highway Law, in relation to the liability of the State for damages " (Int. No. 153), which was read the first time and referred to the committee on internal affairs.

Also, "An act providing for the construction of a foot bridge over the Erie canal at Cornelia street in the city of Utica, and making an appropriation therefor " (Int. No. 154), which was read the first time and referred to the committee on ways and means.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the effect of a dismissal of a complaint or counterclaim " (Int. No. 155), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in rela-

tion to judgments " (Int. No. 156), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the law of evidence with respect to the books of corporations " (Int. No. 157), which was read the first time and referred to the committee on codes.

Also, "An act to repeal section one hundred and eighty-nine and sub-division eight of section one hundred and ninety-two of the Tax Law, in relation to the franchise tax on savings banks " (Int. No. 158), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Phillips introduced a bill entitled "An act to amend the Laws of nineteen hundred and three, chapter one hundred and forty-seven, entitled 'An act making provision for issuing bonds to the amount of not to exceed one hundred and one million dollars for the improvement of the Erie canal, the Oswego canal and the Champlain canal, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and three,' relating to the use of a portion of the abandoned Erie canal in the county of Monroe " (Int. No. 159), which was read the first time and referred to the committee on canals.

Mr. A. Greenberg introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to the admission of defendants to bail " (Int. No. 160), which was read the first time and referred to the committee on codes.

Mr. Emden introduced a bill entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' in relation to the salary of the sheriff, appointment and compensation of the sheriff's assistants and the care and maintenance of jails and prisoners " (Int. No. 161), which was read the first time and referred to the committee on internal affairs.

Mr. Shepardson introduced a bill entitled "An act to amend chapter seven of the Laws of nineteen hundred and four, entitled 'An act to revise, amend, and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of

acts,' in relation to lighting contracts in such village and payments thereon " (Int. No. 162), which was read the first time and referred to the committee on affairs of villages.

Mr. Evans introduced a bill entitled "An act to provide for the establishment of a fish hatchery in the county of Sullivan, and making an appropriation therefor" (Int. No. 163), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Highway Law, in relation to a new State route in the county of Sullivan" (Int. No. 164), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Highway Law, in relation to public street surface railroads in towns" (Int. No. 165), which was read the first time and referred to the committee on internal affairs.

Also, "An act to provide for the completion of a dyke or dykes for the protection of property adjacent to the Delaware river in the town of Highland in the county of Sullivan, and making an appropriation therefor" (Int. No. 166), which was read the first time and referred to the committee on ways and means.

Also, "An act to merge and consolidate the 'Dutch Evangelical Lutheran Church of Winkelried in the town of Callicoon, Sullivan county, New York,' and the 'German Evangelical Lutheran Church on the Callicoon' and the 'German Evangelical Church of the town of Callicoon' and the 'German Presbyterian Church of Jeffersonville, Sullivan county, New York,' into one corporation, by the name of the First Presbyterian Church of Jeffersonville, New York, and to vest in such corporation all their rights and property" (Int. No. 167), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Penal Law, in relation to certain railroad employees" (Int. No. 168), which was read the first time and referred to the committee on codes.

Mr. Geyer introduced a bill entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers.'



in relation to the compensation and lien of attorneys and counsellors in said court" (Int. No. 169), which was read the first time and referred to the committee on affairs of cities.

Mr. Small introduced a bill entitled "An act to amend the Public Health Law, in relation to the State institute for the study of malignant disease" (Int. No. 170), which was read the first time and referred to the committee on public health.

Mr. Fitzgerald introduced a bill entitled "An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation" (Int. No. 171), which was read the first time and referred to the committee on the judiciary.

Mr. Geoghan introduced a bill entitled "An act to provide for the deepening of the channel of Ellicott creek from the Erie canal to the city line of the city of Tonawanda, and for the repair of the bridges crossing the same, and making an appropriation therefor" (Int. No. 172), which was read the first time and referred to the committee on ways and means.

Mr. Hammer introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to notices of pendency of action" (Int. No. 173), which was read the first time and referred to the committee on codes.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the bureau of war records" (Int. No. 174), which was read the first time and referred to the committee on military affairs.

Mr. Gibbs introduced a bill entitled "An act to amend the Penal Law, in relation to the punishment for murder in the first degree" (Int. No. 175), which was read the first time and referred to the committee on codes.

Mr. Baumes introduced a bill entitled "An act to authorize the commissioners of the home of the city and town of Newburgh to purchase lands adjoining the premises owned by them" (Int. No. 176), which was read the first time and referred to the committee on the judiciary.

Mr. Eisner introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fifteen of article three of the Constitution, in relation to the jurisdiction of the Court of Appeals" (Int. No. 177), which was read the first time and referred to the committee on the judiciary.



Mr. Campbell introduced a bill entitled "An act to amend the Greater New York charter, in relation to leases of lands of the city of New York" (Int. No. 178), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the powers of the heads of departments to rehear charges and reinstate discharged employees" (Int. No. 179), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Levy introduced a bill entitled "An act to repeal chapter three hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the Long Sault Development Company, and to authorize said company to construct and maintain dams, canals, power-houses and locks at or near Long Sault island, for the purpose of improving the navigation of the St. Lawrence river and developing power from the waters thereof, and to construct and maintain a bridge and carry on the manufacture of commodities,' providing for the repayment to such company of certain moneys paid by it under such act, and making an appropriation therefor" (Int. No. 180), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the alleged claims, if any, which may be presented by the Long Sault Development Company against the State of New York by reason of the repeal by the Legislature of chapter three hundred and fifty-five of the Laws of nineteen hundred and seven" (Int. No. 181), which was read the first time and referred to the committee on the judiciary.

The bill (No. 132, Int. No. 54) entitled "An act to amend the Military Law, in relation to the Adjutant-General of the State," having been announced, debate was had thereon, when Mr. Cuvillier moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the second time.

AYES 90

NOES 39

Those who voted in the affirmative were:

Benninger	Donohue	Gurnett	Kornobis	Patrie
Bovie	Dorst	Hamilton	Larrimer	Pullman
Brereton	Doty	Hammer	Levy	Rozan
Brewster	Dox	Hearn	Lewis	Seely J L
Burr	Eisner	Heyman	Madden	Silverstein
Bush	Emden	Hover	Maloney	Small
Butts	Evans	Hughes	McCue	Sutphin
Campbell	Fallon	Ingram	McCollum	Telford
Carroll	Fitzgerald	Jackson	McElligott	Taylor F J
Carver	Finnigan	Kane	McDaniels	Taylor T D
Caughlan	Gallup	Kelly J J	McGrath	Tudor
Cole	Garvey	Kelly J D	McKee	Van Woert
Cotillo	Gathright	Kelly P J	McKeon	Walker
Cronin	Geyer	Kenney	McMahon	Ward
Cuvillier	Geoghan	Kennedy	Monahan	Weil
Daley	Gillen	Kerrigan	O'Brien	Willmott
Deitz	Greenberg A	Kiernan	O'Connor	Ulrich
Dennen	Grimme	Knott	Oxford	Yard

Those who voted in the negative were:

Adler	Gage	Machold	Schnirel	Sweet
Allen	Gillett	Magée	Seelye G T	Tallett
Baumes	Grace	Malone	Shepardson	Vert
Baxter	Hopkins	Norton	Smith J A	Volk
Bradley	Horton	Pembleton	Smith M	Webb
Bryant	Jones	Phillips	Smith T K	Wood
Edwards	Jude	Prime	Sufrin	Yeomans
Fuller	Knight	Schaap	Sullivan	

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 131, Int. No. 30) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters," having been announced,

Mr. Levy moved to amend, as follows:

Page 1, line 8, after the word "his" insert in italics "or her".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Adler moved to amend as follows:

Page 1, line 7, after "which" omit the word "he" and insert "such citizen".

Page 2, line 4, after "shall be" omit "deprived of his" and insert "prevented from voting".

Page 2, line 9, strike out period, insert comma and add "but a citizen by marriage only shall not be entitled to vote, unless she

shall have made it appear to the satisfaction of a court authorized to issue certificates of naturalization that she has resided within the United States for five years, within the State or Territory where such court is held one year, and that during that time she has behaved as a person of good moral character, attached to the principles of the Constitution, and well disposed to the good order and happiness of the same."

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 40

NOES 86

Those who voted in the affirmative were:

Adler	Fuller	Knight	Schaap	Sufrin
Allen	Gage	Macold	Schnirel	Sweet
Baumes	Gillett	Magee	Seaker	Tallett
Baxter	Grace	Malone	Seelye G T	Vert
Bradley	Hopkins	Norton	Shepardson	Volk
Brereton	Horton	Pappert	Smith J A	Webb
Bryant	Jones	Pembleton	Smith M	Wood
Edwards	Jude	Prime	Smith T K	Yeomans

Those who voted in the negative were:

Benninger	Donohue	Grimme	Kornobis	Oxford
Bovie	Dorst	Gurnett	Larrimer	Patrie
Brewster	Doty	Hamilton	Levy	Rozan
Burden	Dox	Hammer	Lewis	Seely J L
Burr	Eisner	Hearn	Madden	Silverstein
Bush	Emden	Heyman	Maloney	Small
Butts	Evans	Hover	McCue	Sutphin
Campbell	Fitzgerald	Hughes	McCollum	Taylor F J
Carroll	Gallup	Ingram	McElligott	Taylor T D
Carver	Garvey	Kane	McDaniels	Tudor
Caughlan	Gathright	Kelly J D	McGrath	Van Woert
Cole	Geyer	Kelly P J	McKee	Walker
Cotillo	Geoghan	Kenney	McKeon	Ward
Cronin	Gibbs	Kennedy	McMahon	Weil
Cuvillier	Gillen	Kerrigan	Monahan	Willmott
Daley	Greenberg A	Kiernan	O'Brien	Ulrich
Deitz	Greenberg M	Knott	O'Connor	Yard
Dennen				

On motion of Mr. Levy, and by unanimous consent, said bill, as amended, was made a special order on second and third reading for Tuesday next, immediately after the reading of the journal.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, The soldier is the protector of the United States from foreign invasion and domestic insurrection, and he must possess all that is best in life — vigor, health and morality; and in sacri-

ficing the life of home and society for the protection of his country the government should at all times protect him in health and morals; and

Whereas, Since the abolition of the canteen in the army by Congress of 1901, which deprived the enlisted men of light stimulants, there has never been so much intemperance among the enlisted men as now; and never was it known that there was so much disease and immorality at the army post. We now see squatted near the entrance to the army posts people of both sexes who purvey not only on liquid poisons, but disease and contagion as well. The medical records of the army are a reproach to the nation. There is nothing like it elsewhere. They show a deadly menace to public health for generations to come. What may be even worse, in an emergency, indicate the fearful inroads that vice has made and is making upon the fighting forces of the Republic. Discipline, which is essential to efficiency in the army, has ceased to exist. Desertions nearly equal enlistments, due to this fanatical legislation; and

Whereas, There is pending in Congress a bill known as the Botholdt bill, to reestablish the canteen in the army, and it is endorsed by Secretary of War Stimpson, Major General Leonard Wood, Major John Weatherspoon, Surgeon General Toner, and by the press of the entire nation.

Resolved (if the Senate concur), The Legislature of the State of New York, always having the best interests of the soldiers at heart, hereby approve of any measure establishing the canteen in the army, as outlined by the Botholdt bill; and hereby respectfully requests the members of Congress from the State of New York to use their best endeavors to secure the passage of such a law. Be it further

Resolved, That a copy of this resolution be sent to each member of Congress from this State and to the Secretary of War.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Willmott offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of five be appointed consisting of two Senators, to be appointed by the President of the Senate, and three members of the Assembly, to be appointed by the Speaker of the Assembly, to investigate and report to the Legislature, as soon as practicable, the conduct of the comptroller's office of the city of New York.

That such committee shall elect its chairman and vice-chairman, shall have power to compel the attendance of witnesses and the

production of books and papers, to employ counsel and other assistants, and otherwise have all the powers of a legislative committee. That the expense of such committee, not exceeding ten thousand dollars (\$10,000) shall be paid from the contingent fund of the Legislature upon the order of the chairman thereof.

which was referred to the committee on ways and means.

On motion of Mr. Adler, the consideration of Mr. Hinman's resolution extending the scope of the Executive investigation set down for this day was postponed until Monday, January 20th.

Mr. Cuvillier gives notice that on Monday, January 20th, he will call up his resolution in favor of the re-establishment of the army canteen introduced this day.

Privileges of the floor were accorded to Mr. M. V. B. Ives of St. Lawrence and Mr. Edward Bissell.

Mr. Hinman of Albany was excused for the week on account of illness.

On motion of Mr. Levy, the House adjourned.

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## TUESDAY, JANUARY 14, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Charles Graves.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Health Officer of the Port of New York, which was laid upon the table and ordered printed.

(See Assembly Document No. 6.)

The Senate sent for concurrence the following entitled bill:

"An act making an appropriation to provide for the compensation and expenses of persons appointed by the Governor to examine and investigate departments, boards, bureaus and commissions of the State" (No. 27, Rec. No. 2), which was read the first time and referred to the committee on ways and means.

Mr. Knight introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to officers to whom the tax is to be

paid and how distributed" (Int. No. 182), which was read the first time and referred to the committee on excise.

Mr. Evans introduced a bill entitled "An act to establish a State school of agriculture in the county of Sullivan, and making an appropriation therefor" (Int. No. 183), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Education Law, in relation to the establishment of a normal and training school in the village of Liberty, Sullivan county, and making an appropriation therefor" (Int. No. 184), which was read the first time and referred to the committee on ways and means.

Mr. Gallup introduced a bill entitled "An act to legalize bonds of the village of Brockport, Monroe county, New York, not exceeding two hundred and seventy-five thousand dollars in amount, for the purpose of establishing a system of water works and procuring the necessary water for fire protection and domestic purposes in and for said village, and to provide for the payment of the principal and interest of said bonds" (Int. No. 185), which was read the first time and referred to the committee on affairs of villages.

Mr. Evans introduced a bill entitled "An act to provide for the erection of a suitable monument to commemorate the services of the Twenty-fifth New York Volunteer Cavalry in the battle of Fort Stevens, and making an appropriation therefor" (Int. No. 186), which was read the first time and referred to the committee on ways and means.

Also, "An act to provide for the acquisition of land for a game farm in the county of Sullivan, and making an appropriation therefor" (Int. No. 187), which was read the first time and referred to the committee on ways and means.

Also, "An act making an appropriation to expedite the building of State route three-a" (Int. No. 188), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the State Boards and Commissions Law, in relation to creating the interstate bridge commission and defining its powers and duties, and making an appropriation therefor" (Int. No. 189), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county" (Int. No. 190), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Town Law, in relation to licensing public vehicles and entertainments" (Int. No. 191), which was read the first time and referred to the committee on internal affairs.

Mr. Goldberg introduced a bill entitled "An act to amend the Greater New York charter, in relation to city marshals" (Int. No. 192), which was read the first time and referred to the committee on affairs of cities.

Mr. Madden introduced a bill entitled "An act to fix and establish the minimum salary or compensation of police officers of cities of the second class" (Int. No. 193), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act amending the State Charities Law, by adding after article twenty-three, section four hundred and one thereof, an article to be known as article twenty-four, providing for the establishment of a State hospital in some suitable locality, for the treatment of intermediate and advanced pulmonary tuberculosis, and making an appropriation therefor" (Int. No. 194), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Code of Civil Procedure, in relation to the disclosure by dentists of information acquired in attending a patient" (Int. No. 195), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to motions for new trials upon the judge's minutes or for judgment notwithstanding the verdict" (Int. No. 196), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to undertakings" (Int. No. 197), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, relative to the direction of verdicts" (Int. No. 198), which was read the first time and referred to the committee on codes.



Also, "An act to amend the Code of Civil Procedure, in relation to compelling the testimony of an adverse party upon the trial" (Int. No. 199), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to pleadings" (Int. No. 200), which was read the first time and referred to the committee on codes.

Mr. Bush introduced a bill entitled "An act making appropriations, supplementary appropriations and reappropriations for improvements at the State hospitals for the insane" (Int. No. 201), which was read the first time and referred to the committee on ways and means.

Mr. Willmott introduced a bill entitled "An act to amend the Insurance Law, in relation to the maximum rate or premium for issuing surety bonds in liquor tax matters" (Int. No. 202), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Liquor Tax Law, in relation to bonds to be given" (Int. No. 203), which was read the first time and referred to the committee on excise.

Also, "An act to provide for surveys, estimates and plans for extending New Town creek from Johnson avenue in the borough of Brooklyn, to Flushing bay in the borough of Queens, in the city of New York, and making an appropriation therefor" (Int. No. 204), which was read the first time and referred to the committee on ways and means.

Mr. Yeomans introduced a bill entitled "An act to amend the Village Law, in relation to powers of village trustees to provide for band concerts" (Int. No. 205), which was read the first time and referred to the committee on affairs of villages.

Mr. Geyer introduced a bill entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation" (Int. No. 206), which was read the first time and referred to the committee on ways and means.

Mr. Hover introduced a bill entitled "An act to amend the Highway Law, in relation to the description of route number one of the State highway system" (Int. No. 207), which was



read the first time and referred to the committee on internal affairs.

Mr. Monahan introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to powers of the Public Service Commission in respect to the enforcement of provisions of the Labor Law affecting certain railroads" (Int. No. 208), which was read the first time and referred to the committee on railroads.

Mr. Maloney introduced a bill entitled "An act to provide for the dredging of Powell creek in the county of Nassau, for widening and deepening the channel thereof, and making an appropriation therefor" (Int. No. 209), which was read the first time and referred to the committee on ways and means.

Mr. J. L. Seely, introduced a bill entitled "An act to amend the Judiciary Law, in relation to Special Terms of the Supreme Court" (Int. No. 210), which was read the first time and referred to the committee on the judiciary.

Mr. Hughes introduced a bill entitled "An act to provide for the repair of the public dock at Willard, Seneca county, used by the Willard State Hospital, and making an appropriation therefor" (Int. No. 211), which was read the first time and referred to the committee on ways and means.

Mr. McElligott introduced a bill entitled "An act to amend the Penal Law, in relation to assumed names" (Int. No. 212), which was read the first time and referred to the committee on codes.

Mr. J. D. Kelly introduced a bill entitled "An act to amend sections one and two of chapter six hundred and five of the Laws of nineteen hundred and two, entitled 'An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled "An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor, and the acts amendatory thereof" ' ' ' (Int. No. 213), which was read the first time and referred to the committee on charitable and religious societies.

Also, "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands

along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' as amended by chapter six hundred and ninety-one of the Laws of nineteen hundred and six, and as further amended by chapter three hundred and sixty-one of the Laws of nineteen hundred and ten" (Int. No. 214), which was read the first time and referred to the committee on ways and means.

Mr. P. J. Kelly introduced a bill entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings" (Int. No. 215), which was read the first time and referred to the committee on public health.

Mr. Speaker announced the special order, being the bill (No. 112, Int. No. 112) entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United State Senators by the people of the several States.

On motion of Mr. Levy, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 4

Those who voted in the affirmative were:

Allen	Eisner	Hughes	McKee	Smith T K
Baumes	Emden	Ingram	McKeon	Squire
Baxter	Evans	Jackson	McMahon	Sufran
Benninger	Fallon	Jude	Monahan	Sullivan
Bovie	Fitzgerald	Kane	O'Brien	Sutphin
Bradley	Finnigan	Kelly J D	O'Connor	Sweet
Bryant	Fuller	Kelly P J	Oxford	Telford
Burden	Gage	Kenney	Pappert	Tallett
Burr	Gallup	Kennedy	Patrie	Taylor F J
Bush	Garvey	Kerrigan	Pembleton	Taylor T D
Butts	Gathright	Kiernan	Phillips	Tudor
Campbell	Geyer	Knight	Prime	Ulrich
Carroll	Geoghan	Knott	Pullman	Van Woert
Carver	Gibbs	Kornobis	Robinson	Vert
Caughlan	Gillen	Larrimer	Rozan	Volk

Cole	Gillett	Levy	Schaap	Walker
Cotillo	Goldberg	Lewis	Schnirel	Ward
Cronin	Grace	Machold	Schwarz	Webb
Cuvillier	Greenberg A	Madden	Seely J L	Weil
Deitz	Grimme	Magee	Seelye G T	Wood
Dennen	Gurnett	Maloney	Shepardson	Willmott
Donohue	Hamilton	McCue	Silverstein	Yale
Dorst	Hammer	McCollum	Small	Yard
Doty	Hearn	McElligott	Smith A E	Yeomans
Dox	Hover	McDaniels	Smith M	Mr. Speaker
Edwards	Horton	McGrath		

Those who voted in the negative were:

Adler	Jones	Malone	Richardson
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Ordered, that the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 143, Int. No. 30), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters."

The Speaker.—The Chair desires to make a statement. On last evening the Goldberg amendment to the State Constitution was on the calendar by direction of the House. It was amended and the Chair entertained a motion to make it a special order on second and third reading to-day. In so doing the Chair was entirely within the rule, as Rule 6 says that all constitutional amendments shall be deemed to be bills for all legislative purposes. There is nothing in the rules that deals with the three-day provision on the desks of the members before final passage. That is a constitutional provision. However, after thinking it over very carefully the Chair is of the opinion that a constitutional amendment should at least be treated as important as a bill and, to avoid the danger of establishing the precedent that an amendment to the Constitution can be amended on the floor of the House in one day and receive its third and final reading the next day, the Chair now desires to rule on that point, and will therefore rule that this bill should be treated as every other legislative bill, and will therefore lay on the desks of the members three days.

On motion of Mr. Goldberg, and by unanimous consent, said bill was made a special order on second and third reading for Monday next, immediately after the reading of the journal.

Mr. Garvey offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed during the session for the use of the Assembly, additional copies of each Assembly and Senate bill, as follows: Each general bill of the Assembly, as designated by the Clerk, five hundred copies; each other Assembly bill three hundred copies; each general bill of the Senate, as designated by the Clerk of the Senate, three hundred copies, each other Senate bill two hundred copies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Heyman	Maloney	Shepardson
Allen	Eisner	Hover	McCue	Silverstein
Baumes	Emden	Hopkins	McCollum	Small
Baxter	Esquirol	Horton	McElligott	Smith J A
Benninger	Evans	Hughes	McDaniels	Smith M
Bovie	Fallon	Ingram	McGrath	Smith T K
Bradley	Farrell	Jackson	McKee	Squire
Brereton	Fitzgerald	Jones	Monahan	Sullivan
Bryant	Finnigan	Kane	Norton	Sutphin
Burden	Fuller	Kelly J J	O'Brien	Sweet
Burr	Gage	Kelly J D	O'Connor	Telford
Bush	Gallup	Kelly P J	Oxford	Tallett
Butts	Garvey	Kenney	Pappert	Taylor F J
Campbell	Gathright	Kennedy	Patrie	Taylor T D
Carroll	Geyer	Kerrigan	Pembleton	Tudor
Carver	Geoghan	Kiernan	Phillips	Van Woert
Caughlan	Gibbs	Knight	Prime	Vert
Cole	Gillen	Kornobis	Pullman	Walker
Cronin	Gillett	Lane	Richardson	Ward
Cuvillier	Goldberg	Larrimer	Robinson	Weil
Daley	Grace	Levy	Rozan	Willard
Deitz	Greenberg A	Lewis	Schifferdecker	Wood
Dennen	Grimme	Macdonald	Schnirel	Willmott
Denney	Gurnett	Machold	Schwarz	Ulrich
Donohue	Hamilton	Madden	Seaker	Yale
Doty	Hammer	Magee	Seely J L	Yard
Dox	Hearn	Malone	Seelye G T	Yeomans

Mr. Brewster of Chemung was excused for the week.

On motion of Mr. Levy, the House adjourned.

## WEDNESDAY, JANUARY 15, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Oscar Krauch.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

The Speaker presented the report of the Joint Committee of the Legislature on the Conservation of Water, which was laid upon the table and ordered printed.

(See Senate Document No. 21.)

Also, the Second Annual Report of the Commissioners of Watkins Glen Reservation, which was laid upon the table and ordered printed.

(See Assembly Document No. 15.)

Also, the annual report of the Conservation Commission, which was laid upon the table and ordered printed.

(See Assembly Document No. 12.)

Also, the annual report of the Superintendent of State Prisons, which was laid upon the table and ordered printed.

(See Senate Document No. 35.)

Also, the Twelfth Annual Report of the New York State Hospital at Raybrook, which was laid upon the table and ordered printed.

(See Senate Document No. 18.)

Mr. Cronin introduced a bill entitled "An act to amend the Election Law, in relation to the display of the American flag in each polling place" (Int. No. 216), which was read the first time and referred to the committee on the judiciary.

Mr. Cotillo introduced a bill entitled "An act to amend the Greater New York charter, relative to the distribution of moneys collected on account of taxation and constituting the relief fund in the city of New York" (Int. No. 217), which was read the first time and referred to the committee on affairs of cities.

Mr. Daley introduced a bill entitled "An act to amend the Benevolent Orders Law, in relation to powers of joint corporation" (Int. No. 218), which was read the first time and referred to the committee on general laws.

Mr. Dennen introduced a bill entitled "An act to amend the Penal Law, in relation to Sunday baseball" (Int. No. 219), which was read the first time and referred to the committee on codes.

Mr. Geoghan introduced a bill entitled "An act transferring from the common council of the city of Buffalo to the board of park commissioners of said city jurisdiction and control over Kenilworth avenue in said city, and providing for the improvement of said avenue" (Int. No. 220), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to amend the Judiciary Law, relative to the delivery and publication of opinions of justices of the Appellate Division" (Int. No. 221), which was read the first time and referred to the committee on the judiciary.

Mr. M. Greenberg introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to procedure when magistrate issuing warrant is unable to act" (Int. No. 222), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the power of magistrates to suspend sentence without probation" (Int. No. 223), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to judgments, sentences and commitments in the magistrates' courts of said city" (Int. No. 224), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammer introduced a bill entitled "An act authorizing the board of assessors of the city of New York to estimate and allow damages sustained by owners of real property fronting upon streets or roads running transversely underneath the Grand boulevard and Concourse or intersecting the same, at grade" (Int. No. 225), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to authorize the police commissioner of the city

of New York to increase the pension of Henry C. Fink to an amount not exceeding the salary paid to him at the date of his retirement" (Int. No. 226), which was read the first time and referred to the committee on affairs of cities.

Mr. Hearn introduced a bill entitled "An act to amend the Canal Law, in relation to advances of moneys to division engineers, and drafts of money by the superintendent of public works" (Int. No. 227), which was read the first time and referred to the committee on canals.

Also, "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of the State" (Int. No. 228), which was read the first time and referred to the committee on canals.

Mr. Jones introduced a bill entitled "An act to amend the Railroad Law, in relation to the diverting of carload shipments of coal and providing a penalty therefor" (Int. No. 229), which was read the first time and referred to the committee on railroads.

Also, "An act for the relief of Mary Jane Fowler, mother of Thomas Fowler, late private in Company A, Sixty-fifth Regiment of the National Guard" (Int. No. 230), which was read the first time and referred to the committee on internal affairs.

Mr. McCue introduced a bill entitled "An act to amend the Greater New York charter, in relation to allowances for blind persons and appropriations therefor" (Int. No. 231), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Liquor Tax Law, in relation to the surrender and assignment of liquor tax certificates" (Int. No. 232), which was read the first time and referred to the committee on excise.

Mr. Madden introduced a bill entitled "An act to authorize the city of Yonkers to acquire, maintain and operate street surface railroads for public use in the conveyance of persons and property for compensation" (Int. No. 233), which was read the first time and referred to the committee on affairs of cities.

Mr. Oxford introduced a bill entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of



Antonio M. Caridi, Theodore Palumbo, Frank V. Bruno and Alfred Bertoncini for services rendered to the said city " (Int. No. 234), which was read the first time and referred to the committee on affairs of cities.

Mr. Sullivan introduced a bill entitled "An act to amend the Labor Law, in relation to materials and labor used in and upon public work " (Int. No. 235), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Penal Law, in relation to the definition of conspiracy " (Int. No. 236), which was read the first time and referred to the committee on codes.

Mr. Tallett introduced a bill entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend, generally, chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as the charter of the city of Oneida, and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling " (Int. No. 237), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Judiciary Law, in relation to confidential clerks to Supreme Court justices in the sixth judicial district " (Int. No. 238), which was read the first time and referred to the committee on the judiciary.

Mr. Pullman introduced a bill entitled "An act to amend chapter one hundred and fifty-seven of the Laws of eighteen hundred and forty-four, entitled 'An act to incorporate the village of Mohawk,' in relation to the creation of a board of commissioners for the Weller Library in the village of Mohawk, and defining its powers and duties " (Int. No. 239), which was read the first time and referred to the committee on affairs of villages.

Mr. Hover introduced a bill entitled "An act to amend the Education Law, relative to contracts for the instruction of pupils " (Int. No. 240), which was read the first time and referred to the committee on public education.

Mr. Norton introduced a bill entitled "An act to amend the Election Law, in relation to commissioners of elections " (Int. No. 241), which was read the first time and referred to the committee on the judiciary.



Mr. Lewis introduced a bill entitled "An act to amend the Tax Law, in relation to the exemption from taxation of all property of a municipal corporation used and maintained for a municipal water supply" (Int. No. 242), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Machold introduced a bill entitled "An act to legalize and confirm the official acts of George A. Lawyer as notary public in and for the county of Jefferson" (Int. No. 243), which was read the first time and referred to the committee on the judiciary.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to pay of officers serving on boards, commissions and courts" (Int. No. 244), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to privileges, prohibitions and penalties" (Int. No. 245), which was read the first time and referred to the committee on military affairs.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Levy (No. 18, Int. No. 18), entitled "An act to amend the Highway Law, in relation to the punishment for violation thereof in the operation of motor vehicles."

Also, Assembly bill introduced by Mr. Telford (No. 128, Int. No. 128), entitled "An act to amend the Highway Law, in relation to the description of route five-a to be constructed or improved by the State," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 126, Int. No. 126) introduced by Mr. McDaniels, entitled "An act to amend the County Law, in relation to county hospitals for tuberculosis," reported in favor of the passage of the same, with the following amendment:

Page 2, line 1, strike out "the", first occurring, and insert in italic "a", after "county" insert in italics "not having a purchasing agent or auditing commission".

Line 6, before "may" insert in italics "of supervisors".  
which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed: "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United States Senators by the people of the several States" (No. 112, Int. No. 112).

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *January 15, 1913.*

*To the Legislature:*

I have the honor to transmit herewith, the report of Adolph J. Rodenbeck, William B. Hornblower, John G. Milburn, Adelbert Moot and Charles A. Collin, constituting the Board of Statutory Consolidation, recommending a plan for the simplification of legal procedure in the courts of the State, prepared and submitted in pursuance of chapter 393 of the Laws of 1912.

Over fifty years ago, the State of New York revolutionized its system of practice and procedure in the courts by eliminating complex technicalities and simplifying the procedure so as to secure the prompt termination of legal controversies, in accordance with justice and substantive law applicable to the facts, without delay, diminution or obstruction of justice by reason of mere technicalities of practice or procedure.

The example thus set by the State of New York was soon followed by other States and most English speaking countries, with the result of establishing, throughout the English speaking world, what has come to be known as the Reformed Procedure.

My experience as a lawyer, and my observation of the conduct of litigation in our courts, have compelled me to the conviction that, during the last thirty years, a new set of complex technicalities has grown unconsciously into our system of legal procedure, adding to the uncertainty, delays and expense of litigation, obstructing the administration of justice, and causing evil results which fall most heavily upon those least able to bear them, sometimes amounting, in practical effect, to denial of justice and closing the doors of the courts against the very people whose sole reliance must be on the courts for protection against the oppression and injustice of the wealthy and powerful. I have often, of late, had reason to believe that the State of New York has lost its leadership in the reform of judicial procedure, and fallen behind

other States in this country and even, in some respects, behind conservative England.

In my first message to this Legislature, I therefore recommended "the enactment of such legislation as will relieve the present legal system of the delays, the unnecessary expense, and the uncertainties incident to the present procedure."

My own convictions of the necessity of a drastic reform of our civil procedure, are confirmed and justified by this report of the Board of Statutory Consolidation, with its careful and thorough analysis and comparison of the systems of procedure, now in force in this and other states and England.

As the result of such analysis and comparison, the Board unanimously recommends abandonment, rather than revision and amendment, of our present cumbersome Code of Civil Procedure, which is now overloaded with innumerable and incongruous amendments, and from the time of its enactment, in 1876, has never been as satisfactory as the original Field Code of 1848.

The Board unanimously recommends, as a substitute for the present Code of Civil Procedure:

I. A Short Practice Act which would preserve in statutory form the fundamental jurisdictional matters of procedure in the present Code, with such changes as may be necessary to adapt such provisions to present conditions.

II. Rules of Court, (subject to adoption, amendment and repeal by the judges) re-drafted so as to preserve and regulate such minor details of practice in the present Code and Court Rules, as should be preserved in the written law, but omitting entirely minute details of practice which can be regulated much more satisfactorily by each judge before whom such matters come up for determination, and without any danger that the judges will abuse the discretion thus reposed in them.

III. Such changes as will simplify and modernize the practice so as to secure a prompt and final determination of legal controversies according to the substantive rights of the parties; and to that end the following among other changes are recommended:

(a) The court should have full power to disregard, in the interest of justice, at any stage of the case, any mistake, irregularity or defect which does not effect the substantial rights of a party.

(b) Provision should be made, so far as practicable and constitutional, for obviating more than one trial of an issue of fact, by authorizing the court, on appeal, to disregard errors of the court below, not effecting substantial rights, to take further proofs when deemed necessary for bringing out all the facts material to the controversy, and to render final judgment in accordance with

the law applicable to all the facts of the case thus brought before the Appellate Court, without granting a new trial.

(c) There should be but one form of action and there should be a complete disposition of the entire controversy, by the joinder of all parties, whether jointly, severally or in the alternative, and a simple statement of all differences between them, subject to a separate trial of any issue upon order of the court.

(d) The demurrer should be abolished and all relief for defective pleading should be by motion.

This brief outline of the general plan and partial enumeration of its details, sufficiently demonstrate the vital importance of the questions presented by this Report.

A lack of confidence in the courts is one of the greatest evils that can befall the State. No more dangerous wound can be inflicted upon the State than unjustly, and without cause, to destroy confidence in its courts of justice. By the same token, no greater service can be rendered the State than to remedy and remove any just cause for distrust or lack of confidence in the equality, efficiency and righteousness of the system of administering justice in the court.

I regret exceedingly that it will be impossible for the Board to submit to this Legislature the draft of a bill embodying its recommendations. The Act of 1912 only authorizes the Board to prepare, and submit to this Legislature, a plan for the simplification of the practice in the courts, and only became a law on April fifteenth last. It is evident from the drastic character of the conclusions reached by the Board, as well as from the contents of the Report, that the investigations of the Board have covered a wide field of inquiry, and that its report is the result of thorough study and careful deliberation. The personnel of the Board is sufficient guaranty that the drastic plan recommended has not been adopted hastily or unadvisedly, but represents the mature judgment of conservative, experienced and practical lawyers, awake to the evil, and not likely to suggest ineffectual or unnecessarily drastic remedies.

Under the law, as it now stands, the work of the Board is finished. It is for this Legislature to determine whether the plan recommended by the Board shall be worked out in detail, and whether the draft of a bill embodying the plan shall be submitted to the next Legislature. The work of the Board under the Act of 1912, has been performed as a patriotic service, without pecuniary reward. If the plan is to be carried out, most of the immense mass of detail work must necessarily be done by one man, and it is understood that the chairman of the Board will devote his time largely to that portion of the work, for which he should be allowed

reasonable compensation. It is understood that the other members of the Board will act chiefly in consultation in an advisory capacity, and if the Legislature charges them with the responsibility, that they are willing and prefer to continue the service without pecuniary compensation.

If the Legislature approves the Report, it is manifest that its approval should be expressed as promptly as practicable, in order that the work of the Board may be resumed without unnecessary intermission, and completed, with the necessary care and deliberation, in time for submission to the next Legislature.

I recommend that the Legislature express its approval of the Report of the Board, by passing a bill for carrying the Report into effect, substantially along the lines of the draft of proposed bill annexed to the Report.

WILLIAM SULZER.

which was laid upon the table and ordered printed.

(See Senate Document No. 8.)

On motion of Mr. Levy, the House adjourned.

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#### THURSDAY, JANUARY 16, 1913.

The House met pursuant to adjournment.

Prayer by Rev. A. B. Obenschain.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the State School for the Blind at Batavia, which was laid upon the table and ordered printed.

(See Assembly Document No. 16.)

Also, the annual report of the State Racing Commission, which was laid upon the table and ordered printed.

(See Senate Document No. 22.)

Also, the annual report of the State Commissioner of Excise, which was laid upon the table and ordered printed.

(See Senate Document No. 20.)

Also, the Nineteenth Annual Report of the Western House

of Refuge for Women at Albion, N. Y., which was laid upon the table and ordered printed.

(See Assembly Document No. 14.)

Mr. Allen introduced a bill entitled "An act to repeal chapter seven hundred and seventy-nine of the Laws of nineteen hundred and eleven, entitled 'An act establishing a State athletic commission and regulating boxing and sparring in the State of New York'" (Int. No. 246), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Penal Law, in relation to advertisements and publications facilitating poolselling, bookmaking and gambling" (Int. No. 247), which was read the first time and referred to the committee on codes.

Mr. Burden introduced a bill entitled "An act to amend chapter one hundred and sixty-four of the Laws of nineteen hundred and seven, entitled 'An act to incorporate The Queens Borough Public Library, and to permit libraries in the borough of Queens of the city of New York to convey their property thereto, and limiting and defining the powers thereof,' in relation to terms and appointment of trustees of such corporation" (Int. No. 248), which was read the first time and referred to the committee on affairs of cities.

Mr. Bush introduced a bill entitled "An act making an appropriation for surveys, field notes and manuscript maps affecting various canals and canal lands" (Int. No. 249), which was read the first time and referred to the committee on ways and means.

Mr. Butts introduced a bill entitled "An act to permit the common council of the city of Oneonta to vote extra compensation to the chamberlain, commissioner of charities and assessors, of such city for the year nineteen hundred and thirteen" (Int. No. 250), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled 'An act to incorporate the city of Oneonta,' generally" (Int. No. 251), which was read the first time and referred to the committee on affairs of cities.

Mr. Carroll introduced a bill entitled "An act to amend section

sixty-four, article three of the General Corporation Law, being chapter twenty-eight, Laws of nineteen hundred and nine, entitled 'An act relating to corporations generally, constituting chapter twenty-three of the Consolidated Laws' " (Int. No. 252), which was read the first time and referred to the committee on the judiciary.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to honorably discharged members of the militia who shall hold positions in the civil service" (Int. No. 253), which was read the first time and referred to the committee on military affairs.

Mr. Daley introduced a bill entitled "An act creating the office of commissioners of jurors for each of the counties in the State of New York having a population of more than one hundred and fifty thousand and less than three hundred thousand" (Int. No. 254), which was read the first time and referred to the committee on the judiciary.

Mr. Farrell introduced a bill entitled "An act to amend the Highway Law, in relation to motor vehicles" (Int. No. 255), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Civil Service Law, in relation to residence qualifications of persons in the classified civil service" (Int. No. 256), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Greater New York charter, in relation to subordinates and employees of departments, boards, bodies or offices of the city of New York" (Int. No. 257), which was read the first time and referred to the committee on affairs of cities.

Mr. Gillen introduced a bill entitled "An act to provide for the expense of widening Flatbush avenue, in the borough of Brooklyn, city of New York" (Int. No. 258), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to simplify the practice in the courts of the State of New York" (Int. No. 259), which was read the first time and referred to the committee on codes.



Mr. A. Greenberg introduced a bill entitled "An act to regulate the installation of telephone pay stations on elevated and subway stations in cities of the first class" (Int. No. 260), which was read the first time and referred to the committee on electricity, gas and water supply.

Also, "An act to amend the Penal Law, in relation to issuance and sale of profit sharing savings bonds by mortgage, loan and investment corporations, realty companies, firms and individuals" (Int. No. 261), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Banking Law, in relation to the issuance and sale of profit sharing savings bonds" (Int. No. 262), which was read the first time and referred to the committee on banks.

Mr. Horton introduced a bill entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo" (Int. No. 263), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals" (Int. No. 264), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to create a State insurance fund for the benefit of certain injured employees and their dependents in case of death, to provide for the payment of such fund and to provide for the administration of the same by a State commission of industrial accident awards" (Int. No. 265), which was read the first time and referred to the committee on insurance.

Mr. Knott introduced a bill entitled "An act to amend the General Business Law, in relation to the liability of hotel keepers" (Int. No. 266), which was read the first time and referred to the committee on general laws.



Mr. Larrimer introduced a bill entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements" (Int. No. 267), which was read the first time and referred to the committee on affairs of cities.

Mr. Levy introduced a bill entitled "An act to amend section two of the State Law, in relation to boundary lines between the State of New York and the State of Connecticut" (Int. No. 268), which was read the first time and referred to the committee on the judiciary.

Mr. McElligott introduced a bill entitled "An act to amend the Penal Law, in relation to the issuance and sale of profit sharing savings bonds by mortgage, loan and investment corporations, realty companies, firms and individuals" (Int. No. 269), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to depositions taken and to be used within the State" (Int. No. 270), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Banking Law, in relation to the issuance and sale of profit sharing savings bonds" (Int. No. 271), which was read the first time and referred to the committee on banks.

Mr. McGrath introduced a bill entitled "An act to amend section fifteen hundred and sixty-nine of the Code of Civil Procedure, in relation to the payment of a gross sum in lieu of dower" (Int. No. 272), which was read the first time and referred to the committee on codes.

Also, "An act to amend section twenty-seven hundred and forty-eight of the Code of Civil Procedure, in relation to the payment of an unclaimed legacy or distributive share to the county treasurer" (Int. No. 273), which was read the first time and referred to the committee on codes.

Also, by request. "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the alleged claim of John L. Moriarty against the State of New York for damages for personal injuries alleged to have been sustained by him while serving as a member of the National Guard of the State of New York"

(Int. No. 274), which was read the first time and referred to the committee on claims.

Mr. McKeon introduced a bill entitled "An act to amend the Greater New York charter in relation to the department of parks" (Int. No. 275), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind" (Int. No. 276), which was read the first time and referred to the committee on affairs of cities.

Mr. Sweet, by request, introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to local option" (Int. No. 277), which was read the first time and referred to the committee on excise.

Mr. F. J. Taylor introduced a bill entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York" (Int. No. 278), which was read the first time and referred to the committee on affairs of cities.

Mr. Tallett introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article five of the Constitution and repealing section two thereof, in relation to election of State officers" (Int. No. 279), which was read the first time and referred to the committee on judiciary.

Mr. Weil introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the powers of the surrogate respecting the construction or effect of dispositions of property by will" (Int. No. 280), which was read the first time and referred to the committee on codes.

Mr. Yard introduced a bill entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose" (Int. No. 281), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to legalize the proceedings taken by the village of Pleasantville, Westchester county, New York, for an issue of

bonds in the amount of twenty-six thousand dollars, for the purpose of acquiring land for and constructing a hilltop reservoir with pipe line thereto, alteration and extension of mains, improving pumping system and installing water meters in said village" (Int. No. 282), which was read the first time and referred to the committee on affairs of villages.

Mr. Bovie introduced a bill entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the public school teachers' retirement fund of said city and payments therefrom" (Int. No. 283), which was read the first time and referred to the committee on affairs of cities.

Mr. Bryant introduced a bill entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and eighty-four, entitled 'An act to amend chapter one hundred and forty of the Laws of eighteen hundred and fifty-three, entitled 'An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and enlarge the powers of the corporation of said village,' and the several acts amendatory thereof,' in relation to providing moneys by taxation for the village sanitary sewer system and extensions thereof" (Int. No. 284), which was read the first time and referred to the committee on affairs of villages.

Mr. Cuvillier introduced a bill entitled "An act to repeal sections one hundred and eight to one hundred and thirteen, inclusive, of the Indian Law, relating to the St. Regis tribe of Indians" (Int. No. 285), which was read the first time and referred to the committee on the judiciary.

Mr. Eisner introduced a bill entitled "An act to incorporate the Kehillah of New York city" (Int. No. 286), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Patrie introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to water storage corporations" (Int. No. 287), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Conservation Law, in relation to

water regulation and utilization " (Int. No. 288), which was read the first time and referred to the committee on the judiciary.

Mr. Ingram introduced a bill entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York " (Int. No. 289), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to proceedings against and the liquidation of delinquent insurance corporations " (Int. No. 290), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the expenses of examinations " (Int. No. 291), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to capital requirements " (Int. No. 292), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates " (Int. No. 293), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the contents of advertisements " (Int. No. 294), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the by-laws of title, credit guaranty and securities guaranty corporations " (Int. No. 295), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the capital of title, credit guaranty and securities guaranty corporations " (Int. No. 296), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Penal Law, in relation to acting for foreign insurance corporation which has not designated Superintendent of Insurance as attorney " (Int. No. 297), which was read the first time and referred to the committee on codes.

Mr. Bush, from the committee on ways and means, to which

was referred Assembly bill introduced by Mr. Bush (No. 142, Int. No. 140), entitled "An act making an appropriation for the investigation, care, maintenance and improvement of the State Reservation at Saratoga Springs," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Frawley (No. 27, Rec. No. 2), entitled "An act making an appropriation to provide for the compensation and expenses of persons appointed by the Governor to examine and investigate departments, boards, bureaus and commissions of the State," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill introduced by Mr. Cuvillier (No. 177, Int. No. 174), entitled "An act to amend the Military Law, in relation to the bureau of war records," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

The bill (No. 18, Int. No. 18) entitled "An act to amend the Highway Law, in relation to the punishment for violation thereof in the operation of motor vehicles," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading.

By unanimous consent, Mr. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of Senate bill (No. 2, Rec. No. 1), entitled "An act to amend the Highway Law, in relation to the punishment for violation thereof in the operation of motor vehicles."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Levy, and by unanimous consent, said Senate bill was substituted for Assembly bill (No. 18, Int. No. 18), same title and subject, now on the order of third reading.

On motion of Mr. Levy, and by unanimous consent, said Senate bill was read the third time, having been printed and on the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Heyman	McCollum	Shepardson
Allen	Eisner	Hover	McElligott	Small
Baumes	Emden	Hopkins	McDaniels	Smith J A
Baxter	Evans	Horton	McGrath	Smith M
Benninger	Fallon	Hughes	McKee	Squire
Bovie	Farrell	Ingram	McKeon	Sufrin
Brereton	Fitzgerald	Jackson	McMahon	Sutphin
Brewster	Finnigan	Kelly J A	Monahan	Sweet
Bryant	Fuller	Kelly J J	Norton	Telford
Burr	Gallup	Kelly P J	O'Brien	Tallett
Bush	Garvey	Kenney	O'Connor	Taylor T D
Butts	Gathright	Kennedy	Oxford	Tudor
Campbell	Geyer	Kerrigan	Patrie	Van Woert
Carver	Gibbs	Knott	Pembleton	Vert
Caughlan	Gillen	Kornobis	Phillips	Volk
Cole	Gillett	Lane	Prime	Walker
Cotillo	Goldberg	Larrimer	Pullman	Webb
Cronin	Grace	Levy	Richardson	Weil
Cuvillier	Greenberg A	Lewis	Rozan	Willard
Daley	Greenberg M	Machold	Schaap	Wood
Dennen	Grimme	Madden	Schifferdecker	Willmott
Denney	Gurnett	Magee	Schnirel	Ulrich
Donohue	Hamilton	Malone	Seely J L	Yard
Doty	Hammer	Maloney	Seelye G T	Yeomans
Dox	Hearn			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 128, Int. No. 128), entitled "An act to amend the Highway Law, in relation to the description of route five-a to be constructed or improved by the State," was read the second time.

On motion of Mr. Telford, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Levy, the House adjourned.

FRIDAY, JANUARY 17, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Barton J. Hotaling.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Treasurer's Department, which was laid upon the table and ordered printed.

(See Assembly Document No. 17.)

Also, the Sixth Annual Report of the Public Service Commission, Second District, which was laid upon the table and ordered printed.

(See Senate Document No. 50.)

Mr. Bush introduced a bill entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study" (Int. No. 298), which was read the first time and referred to the committee on public health.

Mr. J. D. Kelly introduced a bill entitled "An act to authorize and empower the city of New York to acquire a site beyond its territorial limits for use of the New York City Reformatory of Misdemeanants under the jurisdiction of the department of correction of the city of New York" (Int. No. 299), which was read the first time and referred to the committee on affairs of cities.

Mr. Tallett introduced a bill entitled "An act to amend the Highway Law, in relation to warning signs or signals on highways crossing steam or electric railroads at grade" (Int. No. 300), which was read the first time and referred to the committee on internal affairs.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to assuring compensation to workmen injured in the course of their employment, and repealing certain sections of the Labor Law relating thereto" (Int. No. 301), which was read the first time and referred to the committee on insurance.

Mr. Willmott introduced a bill entitled "An act to establish a commission on sites, grounds and buildings" (Int. No. 302),



which was read the first time and referred to the committee on charitable and religious societies.

Mr. Yard introduced a bill entitled "An act to authorize the board of supervisors of the county of Westchester to issue temporary loan bonds for the purpose of raising money to pay certificates of indebtedness of said county, issued pursuant to the provisions of chapter three hundred and forty-two of the Laws of nineteen hundred and two, entitled 'An act to make the office of the supervisor in the county of Westchester a salaried office, and to regulate the sessions of the board of supervisors in said county,' and acts amendatory thereof and supplemental thereto" (Int. No. 303), which was read the first time and referred to the committee on internal affairs.

Mr. Cuvillier introduced a bill entitled "An act to amend the Indian Law, and to repeal sections one hundred and eight to one hundred and thirteen thereof, inclusive, relating to the St. Regis tribe of Indians" (Int. No. 304), which was read the first time and referred to the committee on the judiciary.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed.

"An act to amend the Military Law, in relation to the Adjutant-General of the State." (No. 132, Int. No. 54.)

"An act to amend the Highway Law, in relation to the description of route five-a to be constructed or improved by the State." (No. 128, Int. No. 128.)

The bill (No. 142, Int. No. 140) entitled "An act making an appropriation for the investigation, care, maintenance and improvement of the State Reservation at Saratoga Springs," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 177, Int. No. 174) entitled "An act to amend the Military Law, in relation to the bureau of war records," having been announced for a second reading,

On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 27, Rec. No. 2) entitled "An act making



an appropriation to provide for the compensation and expenses of persons appointed by the Governor to examine and investigate departments, boards, bureaus and commissions of the State," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading.

The bill (No. 132, Int. No. 54) entitled "An act to amend the Military Law, in relation to the Adjutant-General of the State," having been announced for a third reading,

On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate returned the bill (No. 112, Int. No. 112) entitled "Concurrent resolution of the Senate and Assembly ratifying the proposed amendment to the Constitution of the United States, in relation to the election of United States Senators by the people of the several States," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the clerk deliver said bill to the Secretary of State.

On motion of Mr. Bush, the House adjourned.

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## MONDAY, JANUARY 20, 1913.

The House met pursuant to adjournment.

Prayer by Mr. M. Schlesinger.

On motion of Mr. Levy, the reading of the journal of Friday, January 17th, was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Commission on Barge Canal Operation, which was laid upon the table and ordered printed.

(See Senate Document No. 9.)

Also, the annual report of the Attorney-General of the State of New York, which was laid upon the table and ordered printed.

(See Assembly Document No. 7.)

Also, the annual report of the New York State School of Agriculture at Alfred University, Alfred, N. Y., which was laid upon the table and ordered printed.

(See Assembly Document No. 19.)

A message from the Governor, by the hand of his Secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

ALBANY, *January 20, 1913.*

*To the Legislature:*

I respectfully transmit herewith for the careful consideration of your honorable bodies, the report made to me by the Honorable William B. Ellison, as a Commissioner, on the advisability of a complete and thorough revision of the Standard Fire Insurance Policy of this State.

Recently I wrote Mr. Ellison the following letter:

“STATE OF NEW YORK — EXECUTIVE CHAMBER,

“ALBANY, *January 4, 1913.*

“HON. WILLIAM B. ELLISON, 165 *Broadway, New York City:*

“DEAR SIR.—I have received many communications, both written and oral, which have officially directed my attention, among other matters relating to fire insurance, to the form of the Standard Fire Insurance Policy provided by statute and now used in this State.

“It has been stated that our standard form requires radical revision and improvement in order to do justice between both the insurer and the insured.

“In addition, the many decisions of the courts, some conflicting with others, have produced a condition of much confusion in regard to the exact scope, meaning and effect of our Standard Fire Insurance Policy.

“The State of New York and its citizens should enjoy the use of the very best form of fire policy it is possible to devise. It is apparent that legislation is necessary to make clear and definite the provisions of an adequate and proper form of standard policy and bring about the desired beneficial results in the interest of all the citizens of the State.

“To the end that I may properly recommend appropriate legislation in this respect, at my personal request, you have, with generous action and fine public spirit, offered your services entirely without compensation or other expense to the State, in collating

necessary facts, receiving suggestions and making recommendations as to what changes, if any, are expedient and advisable in the laws of our State relating to this particular subject.

"With your long and varied experience as a lawyer, particularly in insurance matters, I am confident that your carefully formed opinions will be of the greatest value and assistance to me in suggesting the necessary legislation.

"I take pleasure in transmitting to you herewith your designation as my Special Commissioner for such purpose, and wish you to understand that it is not my intention to limit you merely to the consideration of the form of standard fire policy, but your inquiry should properly include every phase of the subject of fire insurance.

"I desire to commend your action in thus serving the community as a most welcome illustration of the public spirit of our citizens. I shall be glad to receive your report at as early a date as you may find practicable.

"I have the honor to remain,

"Respectfully yours,

"WM. SULZER."

Accompanying said letter was the following appointment:

"STATE OF NEW YORK — EXECUTIVE CHAMBER.

"It having been called to my official attention that changes are desirable, expedient and advisable in the laws of this State relating to fire insurance, to the end that there may be an effective and comprehensive plan adequate to the needs of those interested, I, William Sulzer, Governor, hereby designate William B. Ellison of New York City, as a Special Commissioner, to serve without compensation or other expense to the State, for the purpose of collating facts, receiving suggestions and making such recommendations as may seem fitting, with regard to what changes, if any, are at this time advisable in the laws of this State relating to and affecting fire insurance.

"Given under my hand and the Privy Seal of the State  
[L. s.] at the Capitol in the City of Albany this fourth day  
of January in the year of our Lord one thousand nine  
hundred and thirteen.

"WM. SULZER.

"By the Governor:

"CHESTER C. PLATT,

"*Secretary to the Governor.*"

In submitting his report, Mr. Ellison writes me as follows:

“ALBANY, N. Y., *January* 16th, 1913.

“MY DEAR GOVERNOR: I beg leave to accompany this with my report on the proposed revision of the standard policy of fire insurance in this State.

“I have confined my report to the body of the policy as originally adopted and I have not taken under consideration any of the ‘Riders’ now in use, for the reason that several of them were adopted by agreement between the New York Board of Fire Underwriters and the State Department of Insurance. Under such circumstances I have not felt free, or felt that it was desirable, to interfere with matters that have had the approval of the Superintendent of Insurance. I have been impressed with the idea that such matters might be well taken up between the Superintendent and yourself.

“I feel, however, that I should say to you that many of the ‘riders’ now in use have been made the subject of very vigorous criticisms in numberless communications, oral and written, made to me while I had the main question under consideration.

“Indeed, the complaints against these riders, and the way they are attached, have been productive of a great deal of discontent.

“Should you later desire me to take up for further consideration questions arising under the ‘riders’ to which reference has been made, I will, of course, be glad to do so.

“So far, also as are concerned the many other matters involved in the business of fire insurance in this State, to which reference was made on my appointment as Commissioner, I beg leave to say that I rest subject to your further directions.

“I remain,

“Faithfully yours,

“WILLIAM B. ELLISON,  
“Commissioner.

“To Hon. WILLIAM SULZER,  
“Governor of New York State.”

After carefully reading this impartial Report, I believe it to be my duty, in the interest of all the people, to recommend a revision of the present Standard Policy of Fire Insurance for the following reasons:

The present Standard Fire Insurance Policy is filled with perils to the innocent insuring public, and it is now, in my opinion, beyond dispute that there should be a simplification, at least, of the conditions upon which protection against fire in the way of insurance is obtainable.

The Standard Fire Insurance Policy of this State contains a mass of technical conditions and provisions that the people find most difficult to understand. Indeed, they are so fraught with technicality and ambiguity that the courts themselves, the highest courts of record in the country, constantly differ in matters of construction. This should not be difficult of remedy and the public welfare, it seems to me, demands that it be remedied at once.

Of course we should not attempt to destroy any reasonable protection that may be claimed for the Fire Insurance Companies, but at the same time, I contend that the rights of the insured should not be left, as is frequently the case under the present form of policy, to the charity of the company. The provisions of the policy should be made so simple, so short, and so clear that the rights of both are apparent, and the interests of both are safeguarded.

The State of New York should have the best Standard Fire Insurance Policy in the country.

(Signed) WM. SULZER.

Which message together with said report was referred to the committee on insurance.

Mr. Doty introduced a bill entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to the police force, its members and officers and the powers of the common council in relation thereto" (Int. No. 305), which was read the first time and which was referred to the committee on affairs of cities.

Also, "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to compensation of city officers" (Int. No. 306), which was read the first time and referred to the committee on affairs of cities.

Mr. Emben introduced a bill entitled "An act to amend the Tax Law in relation to payment of expenses in certiorari proceedings" (Int. No. 307), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' relative to local improvements" (Int. No.

308), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to require the giving of transfers by the surface railroads in the boroughs of Manhattan and Bronx, city of New York" (Int. No. 309), which was read the first time and referred to the committee on railroads.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the commitment of persons convicted of public intoxication, disorderly conduct or vagrancy" (Int. No. 310), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Public Health Law, in relation to the registration of nurses" (Int. No. 311), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to punishment for failure to appear in answer to summons" (Int. No. 312), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to subpoenas" (Int. No. 313), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the serving of summons in lieu of arrest" (Int. No. 314), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the employment of interpreters in the second division" (Int. No. 315), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to bail" (Int. No. 316), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to assignments being made before the nearest sitting magistrate" (Int. No. 317), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Criminal Courts Act of

the city of New York, in relation to the issuance of summonses " (Int. No. 318), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the commitment of persons to the State Reformatory for Women at Bedford" (Int. No. 319), which was read the first time and referred to the committee on codes.

Mr. Jackson introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section nine of article eight of the Constitution, in relation to the health, safety, compensation for injuries, insurance against accidents and welfare of employees" (Int. No. 320), which was read the first time and referred to the committee on judiciary.

Mr. Jones introduced a bill entitled "An act to provide for the improvement of the Black River canal north of Boonville, and for the repair of the structures thereon, and making an appropriation therefor" (Int. No. 321), which was read the first time and referred to the committee on ways and means.

Mr. Schnirel introduced a bill entitled "An act to provide a building at the New York Agricultural Experiment Station, and making an appropriation therefor" (Int. No. 322), which was read the first time and referred to the committee on ways and means.

Mr. J. A. Smith introduced a bill entitled "An act to provide for the purchase of a portrait of Silas Wright for the Executive Chamber, and making an appropriation therefor" (Int. No. 323), which was read the first time and referred to the committee on way and means.

Mr. T. K. Smith introduced a bill entitled "An act to amend chapter five hundred and twenty of the Laws of eighteen hundred and ninety-three, entitled 'An act to make the office of county clerk of Onondaga county a salaried office, and to provide for the management of said office and to fix the salary of said clerks and deputies,' in relation to the salary of special deputy clerks" (Int. No. 324), which was read the first time and referred to the committee on internal affairs.

Mr. Cuvillier introduced a bill entitled "An act to amend the



State Law, in relation to lands under water in Long Island sound " (Int. No. 325), which was read the first time and referred to the committee on ways and means.

Mr. Evans introduced a bill entitled "An act to amend the Highway Law, generally" (Int. No. 326), which was read the first time and referred to the committee on internal affairs.

Mr. Gathright introduced a bill entitled "An act to amend the Labor Law, in relation to labor of more than eight hours in any one day" (Int. No. 327), which was read the first time and referred to the committee on labor and industries.

Mr. McGrath introduced a bill entitled "An act to amend section two hundred and two of chapter thirty-six of the Laws of nineteen hundred and nine, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws,' in relation to assumption of risks and contributory negligence" (Int. No. 328), which was read the first time and referred to the committee on judiciary.

Also, "An act to amend section two hundred and one of chapter thirty-six of the Laws of nineteen hundred and nine, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws,' in relation to notice of injury by employees" (Int. No. 329), which was read the first time and referred to the committee on judiciary.

Also, "An act to amend section two hundred of chapter thirty-six of the Laws of nineteen hundred and nine, entitled 'An act relating to labor, constituting chapter thirty-one of the Consolidated Laws,' in relation to employers' liability for injuries" (Int. No. 330), which was read the first time and referred to the committee on judiciary.

Mr. Oxford introduced a bill entitled "An act to regulate the use of street surface railroad tracks upon the Bowery and a part of Grand street in the city of New York, borough of Manhattan, for the greater safety of the citizens of such city" (Int. No. 331), which was read the first time and referred to the committee on railroads.

Mr. Sufrin introduced a bill entitled "An act to provide for a public park and playground in the borough of Manhattan in the city of New York" (Int. No. 332), which was read the first time and referred to the committee on affairs of cities.



Also, "An act to amend the Code of Civil Procedure and the Domestic Relations Law, in relation to void and voidable marriages and the annulment of marriages" (Int. No. 333), which was read the first time and referred to the committee on codes.

Also, "An act to amend the General City Law, in relation to the establishment of swimming pools in connection with the public schools of cities of the first class" (Int. No. 334), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Code of Civil Procedure, in relation to grounds for divorce" (Int. No. 335), which was read the first time and referred to the committee on codes.

Mr. Evans introduced a bill entitled "An act to amend the Highway Law, in relation to the amount of State aid" (Int. No. 336), which was read the first time and referred to the committee on internal affairs.

Also, "An act to legalize, ratify and confirm the proceedings had and taken by the village of Liberty in the county of Sullivan, its trustees, officers, servants and electors, in the matter of the issuance of the bonds of said village for the improvement of Main street in said village in conjunction with the construction of State highway route number four through said village, and to provide for the issuance, sale and payment of such bonds and obligations" (Int. No. 337), which was read the first time and referred to the committee on affairs of villages.

Mr. Gallup introduced a bill entitled "An act to amend the State Charities Law, in relation to the office and clerical force of the Fiscal Supervisor" (Int. No. 338), which was read the first time and referred to the committee on public institutions.

Mr. M. Greenberg introduced a bill entitled "An act to amend the Judiciary Law, in relation to justices of the city court of the city of New York acting as official referees after retirement or resignation as justices" (Int. No. 339), which was read the first time and referred to the committee on the judiciary.

Also, "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Antonio M. Caridi, Theodore Palumbo, Frank V. Bruno and Alfred Bertoncini for services

rendered to the said city" (Int. No. 340), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the State Charities Law, in relation to annual reports" (Int. No. 341), which was read the first time and referred to the committee on general laws.

Mr. McElligott introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to actions to determine the validity of a will" (Int. No. 342), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to exceptions to the rulings of the court upon the challenge of a jury" (Int. No. 343), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the filing of all papers in each action or proceeding in the same file, or bundle, and relative to the record on appeals to the Court of Appeals" (Int. No. 344), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to limiting the time within which to appeal" (Int. No. 345), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to appeals to the Appellate Division of the Supreme Court" (Int. No. 346), which was read the first time and referred to the committee on codes.

Mr. Bovie introduced a bill entitled "An act to provide for the erection of a new armory building in the city of Mount Vernon, New York" (Int. No. 347), which was read the first time and referred to the committee on ways and means.

Mr. Monahan introduced a bill entitled "An act to provide for the improvement of a boulevard of certain lands in the boroughs of Brooklyn and Queens, in the city of New York, and to provide for the construction and operation thereon of a street surface railroad by such city" (Int. No. 348), which was read the first time and referred to the committee on affairs of cities.

Mr. Geyer introduced a bill entitled "An act to provide a charter for the city of Buffalo" (Int. No. 349), which was read the first time and referred to the committee on affairs of cities.

Mr. Hover introduced a bill entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue bonds of the city therefor" (Int. No. 350), which was read the first time and referred to the committee on affairs of cities.

Mr. T. K. Smith introduced a bill entitled "An act to amend chapter six hundred and eighty-four of the Laws of nineteen hundred and five, entitled 'An act to supplement the provisions of law relating to the department of public works of the city of Syracuse,' in relation to the expense of the work upon local improvements performed by the city" (Int. No. 351), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter seventy-five of the Laws of nineteen hundred and six, entitled 'An act to supplement the provisions of law relating to the department of assessment and taxation of the city of Syracuse,' in relation to improvements for the sprinkling, laying of dust with substances other than water, watering and flushing of streets" (Int. No. 352), which was read the first time and referred to the committee on affairs of cities.

Mr. Rozan introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to the forfeiture of liquor tax certificates" (Int. No. 353), which was read the first time and referred to the committee on excise.

Mr. Kerrigan introduced a bill entitled "An act to amend the Labor Law, in relation to the protection of employees in buildings in cities" (Int. No. 354), which was read the first time and referred to the committee on labor and industries.

Mr. Maloney introduced a bill entitled "An act to amend chapter five hundred and eighty-eight of the Laws of eighteen hundred and ninety-eight, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead in the county of Queens,' in relation to the salary of the district attorney" (Int. No. 355), which was read the first time and referred to the committee on internal affairs.

Mr. Brereton introduced a bill entitled "An act to amend the Highway Law, relative to claims for damages by change of grade on State and county highways in the county of Warren" (Int.

No. 356), which was read the first time and referred to the committee on internal affairs.

Mr. Kerrigan introduced a bill entitled "An act to amend the Public Officers Law, in relation to official undertakings" (Int. No. 357), which was read the first time and referred to the committee on general laws.

Mr. A. Greenberg introduced a bill entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters" (Int. No. 358), which was read the first time and referred to the committee on general laws.

Mr. Cotillo introduced a bill entitled "An act to amend the Penal Law, in relation to the sale and carrying of dangerous weapons" (Int. No. 359), which was read the first time and referred to the committee on codes.

Mr. Hyman introduced a bill entitled "An act to amend the Banking Law, in relation to branch offices of savings banks" (Int. No. 360), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Banking Law, in relation to the merger of savings banks" (Int. No. 361), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Banking Law, in relation to the creation of a reserve fund for savings banks" (Int. No. 362), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Penal Law, relative to abstraction of or willful misapplication of money funds or property, or misapplication of credit, of any corporation subject to the Banking Law, by an officer, director, trustee, employee or agent thereof" (Int. No. 363), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Banking Law, in relation to removal of trustees of savings banks" (Int. No. 364), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Banking Law, in relation to oaths of trustees of savings banks, their qualification for a continuance in office and vacancies in the office of trustee" (Int. No. 365), which was read the first time and referred to the committee on banks.

Mr. Robinson introduced a bill entitled "An act making appropriations for the purchase of lands, erections and equipment of buildings for the New York State School of Agriculture on Long Island, and other purposes connected with such school" (Int. No. 366), which was read the first time and referred to the committee on ways and means.

Mr. T. K. Smith introduced a bill entitled "An act to regulate and restrain the practice of midwifery in the city of Syracuse by others than legally authorized physicians" (Int. No. 367), which was read the first time and referred to the committee on public health.

Mr. Robinson introduced a bill entitled "An act to amend chapter three hundred and nineteen of the Laws of nineteen hundred and twelve, entitled 'An act to amend the Education Law, in relation to the establishment of the New York State School of Agriculture of Long Island, providing for its control, management and operation, and making an appropriation therefor,' in relation to acquisition of property for such school" (Int. No. 368), which was read first time and referred to the committee on ways and means.

Mr. Small introduced a bill entitled "An act authorizing the construction of a bridge over the Erie canal at the road leading from the foot of Virginia street to park property of the city of Buffalo, and making an appropriation therefor" (Int. No. 369), which was read the first time and referred to the committee on ways and means.

Mr. Volk introduced a bill entitled "An act to provide for a reduced fare for school children on railroads in the city of New York" (Int. No. 370), which was read the first time and referred to the committee on railroads.

Mr. Yard introduced a bill entitled "An act to amend chapter forty-nine of the Laws of nineteen hundred and one, entitled 'An act creating the office of police justice in the village of Peekskill, in the county of Westchester,' in relation to changing the method of choosing a police justice" (Int. No. 371), which was read the first time and referred to the committee on affairs of villages.

Mr. Daley introduced a bill entitled "An act to amend chapter

four hundred and fifty-three of the Laws of nineteen hundred and nine, entitled 'An act to provide for the construction of a life or hoist bridge over the Erie canal at West Genesee street in the city of Syracuse, and making an appropriation therefor,' in relation to the expense of operating such bridge" (Int. No. 372), which was read the first time and referred to the committee on ways and means.

Mr. Dorst introduced a bill entitled "An act to repeal chapter five hundred and sixty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the town board and the superintendent of highways of the town of Wales, in the county of Erie, to cancel the assessment for the improvement of the Big Tree road in said town of Wales and to refund all moneys heretofore paid upon said rolls'" (Int. No. 373), which was read the first time and referred to the committee on internal affairs.

Mr. Gurnett introduced a bill entitled "An act to amend the Highway Law, in relation to establishing a new State route in the counties of Schuyler and Tompkins" (Int. No. 374), which was read the first time and referred to the committee on internal affairs.

Also, "An act to legalize the acts and proceedings of the board of supervisors of the county of Schuyler in relation to changing the time for holding town meetings in such county" (Int. No. 375), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Cook Academy, at Montour Falls, in the county of Schuyler, and making an appropriation therefor" (Int. No. 376), which was read the first time and referred to the committee on ways and means.

Mr. Kerrigan introduced a bill entitled "An act to amend the Second Class Cities Law, relative to designation of official papers" (Int. No. 377), which was read the first time and referred to the committee on affairs of cities.

Mr. Baumes introduced a bill entitled "An act to provide for the erection of a new armory building in the city of Newburgh, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old

armory site and building and the application of the proceeds to such new building, and for other purposes relative to the same" (Int. No. 378), which was read the first time and referred to the committee on ways and means.

Mr. Squire introduced a bill entitled "An act providing for the construction of a bridge over the Mohawk river at Vischer's Ferry, and the approaches thereto in the town of Clifton Park, in the county of Saratoga, and making an appropriation therefor" (Int. No. 379), which was read the first time and referred to the committee on ways and means.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bush (No. 142, Int. No. 140), entitled "An act making an appropriation for the investigation, care, maintenance and improvement of the State Reservation at Saratoga Springs," reported the same with the following recommendations:

On page 1, line 3, after "appropriated" insert comma.  
which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act making an appropriation for the investigation, care, maintenance and improvement of the State Reservation at Saratoga Springs." (Pr. No. 142, Int. No. 140.)

Mr. Speaker announced the special order, being the bill (No. 143, Int. No. 30) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualifications of voters."

Said bill having been announced for a second reading, Mr. Hinman moved to amend as follows:

Page 2, line 10, strike out period and insert comma and add "but a citizen by marriage only shall not be entitled to vote, unless she shall have made it appear to the satisfaction of a court authorized to issue certificates of naturalization that she has resided within the United States five years, within the state or territory where such court is held one year, and that during that time she has behaved as a person of good moral character, attached to the principles of the constitution, and well disposed to the good order and happiness of the same".

Debate was had thereon.



Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 42

NOES 86

Those who voted in the affirmative were:

Adler	Gage	Macdonald	Schnirel	Sweet
Allen	Gillett	Machold	Seaker	Tallett
Baumes	Grace	Magee	Shepardson	Vert
Baxter	Hinman	Malone	Smith J A	Volk
Bradley	Hopkins	Norton	Smith M	Webb
Brereton	Horton	Pappert	Smith T K	Wood
Bryant	Jones	Pembleton	Sufrin	Yale
Edwards	Knight	Schaap	Sullivan	Yeomans
Fuller	Lewis			

Those who voted in the negative were:

Benninger	Doty	Grimme	Levy	Rozan
Bovie	Dox	Gurnett	Maloney	Schifferdecker
Brewster	Eisner	Hamilton	McCue	Schwarz
Burr	Emden	Hammer	McCollum	Seely J L
Bush	Esquirol	Hover	McDaniels	Silverstein
Butts	Evans	Hughes	McElligott	Small
Carroll	Fallon	Ingram	McGrath	Squire
Carver	Fitzgerald	Jackson	McKee	Sutphin
Cole	Gallup	Kelly J A	McKeon	Telford
Cotillo	Garvey	Kelly J D	McMahon	Taylor F J
Cronin	Gathright	Kelly P J	Monahan	Taylor T D
Cuvillier	Geoghan	Kenney	O'Brien	Tudor
Daley	Geyer	Kennedy	O'Connor	Van Woert
Deitz	Gibbs	Kerrigan	Oxford	Walker
Dennen	Gillen	Knott	Patrie	Ward
Denney	Goldberg	Kornobis	Pullman	Ulrich
Donohue	Greenberg A	Larrimer	Robinson	Yard
Dorst	Greenberg M			

Debate was had thereon, when Mr. Levy moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

On motion of Mr. Goldberg, said bill was then read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 122

NOES 7

Those who voted in the affirmative were:

Adler	Donohue	Gurnett	Magee	Shepardson
Allen	Dorst	Hamilton	Malone	Silverstein
Baumes	Doty	Hammer	Maloney	Small
Baxter	Dox	Hinman	McElligott	Smith J A
Benninger	Edwards	Hopkins	McGrath	Smith M
Bovie	Eisner	Horton	McKee	Smith T K
Bradley	Emden	Hover	McKeon	Sufrin
Brereton	Esquirol	Hughes	McMahon	Sullivan
Brewster	Evans	Ingram	Monahan	Sutphin
Bryant	Fallon	Jackson	Norton	Sweet
Burden	Fitzgerald	Kelly J A	O'Brien	Tallett
Burr	Fuller	Kelly J D	O'Connor	Telford
Bush	Gage	Kelly P J	Oxford	Taylor F J
Butts	Gallup	Kenney	Pappert	Taylor T D
Carroll	Garvey	Kennedy	Pembleton	Tudor
Carver	Gathright	Kerrigan	Phillips	Van Woert
Caughlan	Geoghan	Knight	Pullman	Vert
Cole	Geyer	Knott	Robinson	Volk
Cotillo	Gibbs	Kornobis	Schaap	Walker
Cronin	Gillen	Larrimer	Schifferdecker	Ward
Cuvillier	Gillett	Levy	Schnirel	Webb
Daley	Goldberg	Lewis	Schwarz	Ulrich
Deitz	Grace	Macdonald	Seaker	Yale
Dennen	Greenberg M	Machold	Seely J L	Yard
Denney	Grimme			

Those who voted in the negative were:

Jones	McDaniels	Squire	Wood	Yeomans
McCue	Rozan			

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 177, Int. No. 174) entitled "An act to amend the Military Law, in relation to the bureau of war records," having been announced,

Mr. Hinman moved to amend as follows:

On page 2, line 8, strike out the bracket at the beginning of the line and after the word "years" and strike out the italicized words "during his pleasure".

On motion of Mr. Levy, and by unanimous consent, said bill with amendments pending was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 132, Int. No. 54) entitled "An act to amend the Military Law, in relation to the Adjutant-General of the State," having been announced for a third reading,

Debate was had thereon.

On motion of Mr. Levy, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 128, Int. No. 128) entitled "An act to amend the Highway Law, in relation to the description of route five-a to be constructed or improved by the State," having been announced for a third reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 27, Rec. No. 2) entitled "An act making an appropriation to provide for the compensation and expenses of persons appointed by the Governor to examine and investigate departments, boards, bureaus and commissions of the State," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	McDaniels	Small
Allen	Edwards	Hopkins	McElligott	Smith J A
Baumes	Eisner	Horton	McGrath	Smith M
Baxter	Emden	Hover	McKee	Smith T K
Benninger	Esquirol	Hughes	McKeon	Squire
Bovie	Evans	Ingram	McMahon	Sufrin
Bradley	Fallon	Jackson	Monahan	Sullivan
Brereton	Fitzgerald	Jones	Norton	Sutphin
Brewster	Fuller	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J D	O'Connor	Tallett
Burr	Gallup	Kelly P J	Oxford	Telford
Bush	Garvey	Kenney	Pappert	Taylor F J
Butts	Gathright	Kennedy	Patrie	Taylor T D
Carroll	Geoghan	Kerrigan	Pembleton	Tudor
Carver	Geyer	Knight	Pullman	Van Woert
Cole	Gibbs	Knott	Richardson	Vert
Cotillo	Gillen	Kornobis	Robinson	Volk
Cronin	Gillett	Larrimer	Rozan	Walker
Cuvillier	Goldberg	Levy	Schaap	Ward
Daley	Grace	Lewis	Schifferdecker	Webb
Deitz	Greenberg A	Macdonald	Schnirel	Wood
Dennen	Greenberg M	Machold	Schwarz	Ulrich
Denney	Grimme	Magee	Seaker	Yale
Donohue	Gurnett	Malone	Seely J L	Yard
Dorst	Hamilton	Maloney	Shepardson	Yeomans
Doty	Hammer	McCue	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Goldberg offered for the consideration of the House a resolution, in the words following:

Whereas, There is an apparent great dissatisfaction among the people of the city of New York, with the transit facilities, provided by the surface railways of the city of New York; and

Whereas, This dissatisfaction is caused mainly by the following existing conditions:

Failure to operate sufficient cars in the morning and evening.

Overcrowding cars on the busiest lines.

Failure to instruct conductors on the proper transfer slips.

Removing crowded cars from service at car barns and switches instead of transporting passengers to destination.

Refusing to stop cars at crossings, thus compelling passengers to wait for five and ten minutes.

Refusing to stop cars on the command of passengers.

Whereas, The people of the State of New York and more especially of the city of New York have grown to depend on the Public Service Commission for the solution of their transit difficulties; and

Whereas, The said Commission has failed to remedy the above existing bad conditions; and

Whereas, The said surface railways on which these conditions exist have absolutely refused to remedy them; and

Whereas, Members of this Assembly have had called to their attention by their constituents the need of a remedy for these conditions; therefore, be it

Resolved, That the Public Service Commission for the First District is hereby authorized and directed to forward to the Assembly within twenty (20) days a complete report as to its investigation relative to the conditions complained of and recommendations as to what legislation, if any, will best tend to lessen the existing evils and provide better, safer and more convenient transportation facilities for the public at large, the present long suffering strap-hangers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Larrimer offered for the consideration of the House a resolution, in the words following:

Whereas, On the 6th day of January, 1913, Hon. Jesse P. Larrimer introduced in the Assembly a bill to amend chapter 125 of

the Laws of 1906, with reference to the price of illuminating gas in the thirtieth and thirty-first wards of the borough of Brooklyn, city of New York, which bill is known as Number 49, and

Whereas, The Public Service Commission of the First District have made certain investigations and held hearings with reference to said subject matter and are in possession of certain detailed information and data with reference to the cost of furnishing illuminating gas to said territory, the income derived therefrom, the value of the plants of the companies furnishing and selling the gas and other information which is necessary for a proper discussion of and action on said bill Number 49; therefore, be it

Resolved, That the Public Service Commission of the First District be and they are hereby directed to furnish the Assembly, with all reasonable speed, all information in their possession with reference to the value of the plants of all individuals, copartnerships and corporations furnishing and selling illuminating gas in the thirtieth and thirty-first wards of the borough of Brooklyn, city of New York, the cost of production and distribution thereof, the income derived therefrom, and all other information now in their possession with reference to the price of gas in said thirtieth and thirty-first wards of the borough of Brooklyn, city of New York.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Larrimer offered for the consideration of the House a resolution, in the words following:

Whereas, The House of Commons of Great Britain and Ireland has just passed, by a large majority, a bill for the restoration to Ireland of her ancient Parliament, of which she has been unjustly deprived for over one hundred years.

Resolved, That the Assembly of the State of New York, voicing the practically unanimous sentiment of the people of the State, rejoices in this beginning of a great act of justice to the Irish people, an act already too long deferred. That we recognize in the passage of this bill the extension of the democratic and home rule idea for which the American Republic stands, and another step towards the supremacy of the people in the management of their own affairs; be it further

Resolved, That it is the earnest hope of this Assembly that there may be no further obstruction or delay in the full attainment of complete self government for the Irish people, of which they were deprived by force many centuries ago and for the re-establishment of which they have never ceased to struggle.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly 1,000 additional copies of Assembly bill (No. 305, Int. No. 301) entitled "An act to amend the Insurance Law, in relation to assuring compensation to workmen injured in the course of their employment, and repealing certain sections of the Labor Law relating thereto."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	McDaniels	Small
Allen	Edwards	Hopkins	McElligott	Smith J A
Baumes	Eisner	Horton	McGrath	Smith M
Baxter	Emden	Hover	McKee	Smith T K
Benninger	Esquirol	Hughes	McKeon	Squire
Bovie	Evans	Ingram	McMahon	Sufrin
Bradley	Fallon	Jackson	Monahan	Sullivan
Brereton	Fitzgerald	Jones	Norton	Sutphin
Brewster	Fuller	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J D	O'Connor	Tallett
Burr	Gallup	Kelly P J	Oxford	Taylor F J
Bush	Garvey	Kenney	Pappert	Taylor T D
Butts	Gathright	Kennedy	Patrie	Telford
Carroll	Geoghan	Kerrigan	Pembleton	Tudor
Carver	Geyer	Knight	Pullman	Van Woert
Cole	Gibbs	Knott	Richardson	Vart
Cotillo	Gillen	Kornobis	Robinson	Volk
Cronin	Gillett	Larrimer	Rozan	Walker
Cuvillier	Goldberg	Levy	Schaap	Ward
Daley	Grace	Lewis	Schifferdecker	Webb
Deits	Greenberg A	Macdonald	Schnirel	Wood
Dennen	Greenberg M	Machold	Schwarz	Ulrich
Denney	Grimme	Magee	Seaker	Yale
Donohue	Gurnett	Malone	Seely J L	Yard
Dorst	Hamilton	Maloney	Shepardson	Yeomans
Doty	Hammer	McCue	Silverstein	

On motion of Mr. Hinman, the consideration of his resolution in relation to the extension of the scope of the Executive investigation heretofore set down for this day was postponed until Monday, January 27th.

On motion of Mr. Levy, the House adjourned.

TUESDAY, JANUARY 21, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Edward A. Douglas.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Gillen introduced a bill entitled "An act to amend the Greater New York charter, in relation to pensions of members of the fire department" (Int. No. 280), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to amend the Judiciary Law, in relation to jurors in New York county" (Int. No. 281), which was read the first time and referred to the committee on the judiciary.

Mr. Kennedy introduced a bill entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to coroner's physicians" (Int. No. 282), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article one of the Constitution, relative to taking private property for public use" (Int. No. 283), which was read the first time and referred to the committee on the judiciary.

Mr. McKee introduced a bill entitled "An act to amend the Greater New York charter, in relation to the power of the city superintendent of schools to enforce the Compulsory Education Law" (Int. No. 284), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the amount of assessments for local improvements, payable by installments" (Int. No. 285), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to a nautical school" (Int. No. 286), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to local improvements" (Int. No. 287), which was read the first time and referred to the committee on affairs of cities.

Mr. O'Brien introduced a bill entitled "An act to amend the Judiciary Law, in relation to qualifications to trial jurors" (Int. No. 388), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Code of Civil Procedure, in relation to the burden of proof of contributory negligence in an action to recover damages for personal injuries or causing death" (Int. No. 289), which was read the first time and referred to the committee on codes.

Mr. Schnirel introduced a bill entitled "An act to amend the Highway Law, in relation to lights on vehicles" (Int. No. 390), which was read the first time and referred to the committee on internal affairs.

Mr. O'Brien introduced a bill entitled "An act to amend article five of the Conservation Law, in relation to private parks and private lands" (Int. No. 391), which was read the first time and referred to the committee on conservation.

Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter, in relation to reinstatement in the civil service where a position or employment has been abolished" (Int. No. 392), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Civil Service Law, in relation to the legal expenses of veterans reinstated by order of the courts" (Int. No. 393), which was read the first time and referred to the committee on the judiciary.

Mr. Benninger introduced a bill entitled "An act to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, entitled 'An act in relation to illuminating gas in the city of New York and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation,' in relation to the price of illuminating gas in the borough of Queens" (Int. No. 394), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Bovie introduced a bill entitled "An act to establish a pen-



sion fund for the paid officers and members of the fire department of the city of New Rochelle" (Int. No. 395), which was read the first time and referred to the committee on affairs of cities.

Mr. Cotillo introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to costs and fees" (Int. No. 396), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served" (Int. No. 397), which was read the first time and referred to the committee on codes.

Mr. M. Greenberg introduced a bill entitled "An act to amend the General Municipal Law, in relation to providing for the care and maintenance of widows, orphans and dependent children of widows" (Int. No. 398), which was read the first time and referred to the committee on general laws.

Mr. Schaap introduced a bill entitled "An act to amend the Election Law, generally" (Int. No. 399), which was read the first time and referred to the committee on the judiciary.

Mr. Benninger introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jury trials in the boroughs of Queens and Richmond" (Int. No. 400), which was read the first time and referred to the committee on codes.

Mr. Madden introduced a bill entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,' in relation to pensions for certain retired employees of such city" (Int. No. 401), which was read the first time and referred to the committee on affairs of cities.

Mr. Gathright introduced a bill entitled "An act to amend the Prison Law, in relation to the retirement of employees in State prisons and pensions of such employees" (Int. No. 402), which was read the first time and referred to the committee on ways and means.



Mr. Hamilton introduced a bill entitled "An act to amend the Public Health Law, relating to cold storage and refrigerating warehouses and places, and the sale or disposition of the food kept or preserved therein" (Int. No. 403), which was read the first time and referred to the committee on public health.

Mr. Squire introduced a bill entitled "An act to provide for the construction of a highway bridge over the canalized Mohawk river at Movable dam five, between the towns of Glenville and Rotterdam, and making an appropriation therefor" (Int. No. 404), which was read the first time and referred to the committee on ways and means.

Mr. J. L. Seely introduced a bill entitled "An act to amend the General City Law, relative to tuberculosis hospitals" (Int. No. 405), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Highway Law, in relation to establishing a new State route in the counties of Livingston and Steuben" (Int. No. 406), which was read the first time and referred to the committee on internal affairs.

Mr. Phillips introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to article one of the Constitution, relating to laws for the security and protection of the lives, health or safety of employees" (Int. No. 407), which was read the first time and referred to the committee on the judiciary.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to salaries of officers and members of the police force" (Int. No. 408), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the sale of public property and the proceeds thereof" (Int. No. 409), which was read the first time and referred to the committee on affairs of cities.

Mr. Seaker introduced a bill entitled "An act to amend the Highway Law, in relation to establishing a new State route in Saint Lawrence county" (Int. No. 410), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Highway Law, in relation to the

amount of State aid " (Int. No. 411), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Tax Law, in relation to the levy and collection of a poll tax " (Int. No. 412), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Norton introduced a bill entitled "An act to provide for the construction of a new bridge over the Glens Falls feeder at a point about one mile east of the city of Glens Falls, and making an appropriation therefor " (Int. No. 413), which was read the first time and referred to the committee on ways and means.

Mr. Gibbs introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to creating a board of criminal examiners in cities of the first class and defining the powers and duties of such board " (Int. No. 414), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Prison Law, in relation to the compensation of prisoners and disposition thereof " (Int. No. 415), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act to amend the Labor Law, in relation to the organization of the Department of Labor and its various bureaus " (Int. No. 416), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to the division of mercantile inspection and the extension of the jurisdiction of the Commissioner of Labor to mercantile establishments in cities of the second class " (Int. No. 417), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, by providing for an industrial board " (Int. No. 418), which was read the first and referred to the committee on labor and industries.

Mr. Pappert introduced a bill entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to body execution for the nonpayment of certain judgments of the municipal court " (Int. No. 419), which was read the first time and referred to the committee on codes.

Mr. Knight introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to new trials" (Int. No. 420), which was read the first time and referred to the committee on codes.

Mr. Pappert introduced a bill entitled "An act to amend the Lien Law, in relation to the refileing of chattel mortgages and the entry thereof" (Int. No. 421), which was read the first time and referred to the committee on general laws.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill introduced by Mr. Cuvillier (No. 248, Int. No. 245), entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties."

Also, Assembly bill introduced by Mr. Cuvillier (No. 247, Int. No. 244), entitled "An act to amend the Military Law, in relation to pay of officers serving on boards, commissions and courts," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters." (Pr. No. 143, Int. No. 30.)

The bill (No. 249, Int. No. 126) entitled "An act to amend the County Law, in relation to county hospitals for tuberculosis," was read the second time.

On motion of Mr. McDaniels, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 142, Int. No. 140) entitled "An act making an appropriation for the investigation, care, maintenance and improvement of the State Reservation at Saratoga Springs," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

· NOES 00

Those who voted in the affirmative were:

Adler	Emden	Hughes	McElligott	Silverstein
Allen	Esquirol	Ingram	McGrath	Small
Baumes	Evans	Jackson	McKee	Smith J A
Baxter	Fallon	Jones	McKeon	Smith M
Benninger	Fitzgerald	Jude	McMahon	Smith T K
Bovie	Fuller	Kelly J A	Monahan	Squire
Bradley	Gage	Kelly J D	Norton	Sufrin
Brereton	Gallup	Kelly P J	O'Brien	Sullivan
Brewster	Garvey	Kenney	O'Connor	Sutphin
Bryant	Gathright	Kennedy	Oxford	Sweet
Burr	Geoghan	Kerrigan	Pappert	Tallett
Bush	Geyer	Knight	Patrie	Taylor F J
Butts	Gillen	Knott	Pembleton	Taylor T D
Carroll	Gillett	Kornobis	Phillips	Telford
Carver	Goldberg	Lane	Pullman	Van Woert
Cole	Grace	Larrimer	Richardson	Vert
Cotillo	Greenberg M	Levy	Robinson	Volk
Cronin	Grimme	Lewis	Rozan	Walker
Cuvillier	Gurnett	Macdonald	Schaap	Ward
Daley	Hamilton	Machold	Schifferdecker	Webb
Dennen	Hammer	Madden	Schnirel	Willmott
Denney	Hearn	Magee	Schwarz	Wood
Donohue	Heyman	Malone	Seaker	Ulrich
Dorst	Hinman	Maloney	Seely J L	Yale
Doty	Hopkins	McCue	Seelye G T	Yard
Dox	Horton	McDaniels	Shepardson	Yeomans
Edwards	Hover			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. Levy, the House adjourned.

WEDNESDAY, JANUARY 22, 1913.

The House met pursuant to adjournment.

Prayer by Rev. H. Clarke Colebrook.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the notice of contest of Richard Lynster for the seat of Thomas L. Ingram declared elected a member of Assembly from the Twenty-third Assembly District by the county board of canvassers of the county of Kings, which was referred to the committee on privileges and elections.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter three hundred and forty-five of the Laws of eighteen hundred and ninety-three and by chapter five hundred and eighty-six of the Laws of eighteen hundred and ninety-nine, authorizing said city to borrow money by the sale and issue of its bonds for the acquisition of lands and the construction, equipment and furnishing of buildings for school purposes" (No. 99, Rec. No. 3), which was read the first time and referred to the committee on affairs of cities.

Mr. Baumes introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to steam heating corporations" (Int. No. 422), which was read the first time and referred to the committee on railroads.

Mr. Carroll introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to distributive shares of infants" (Int. No. 423), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to service of petition in summary proceedings" (Int. No. 424), which was read the first time and referred to the committee on codes.

Mr. Cuvillier introduced a bill entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities" (Int. No. 425), which was read the first time and referred to the committee on codes.

Mr. Daley introduced a bill entitled "An act providing for the erection of buildings for the New York State College of Forestry at Syracuse University, and the acquisition of land on which to erect the same, and making an appropriation therefor" (Int. No. 426), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Village Law, in relation to contracts for indemnity insurance against damages for injuries to persons" (Int. No. 427), which was read the first time and referred to the committee on affairs of villages.

Mr. Deitz introduced a bill entitled "An act to amend the

Code of Civil Procedure, in relation to the fees for publication of legal notices and advertisements required by law" (Int. No. 428), which was read the first time and referred to the committee on codes.

Mr. Donohue introduced a bill entitled "An act to amend the State Charities Law, in relation to purchases" (Int. No. 429), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the State Charities Law, in relation to quarterly estimates of expenses; contingent fund" (Int. No. 430), which was read the first time and referred to the committee on general laws.

Mr. Eisner (by request) introduced a bill entitled "An act to amend the Penal Law, in relation to public traffic on Sunday" (Int. No. 431), which was read the first time and referred to the committee on codes.

Mr. Evans introduced a bill entitled "An act to provide for certain improvements to Bashas kill, at the mouth of Pine kill, in the county of Orange and making an appropriation therefor" (Int. No. 432), which was read the first time and referred to the committee on ways and means.

Mr. Goldberg introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the detaining of defendants by magistrates in the absence of a complainant" (Int. No. 433), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Public Service Commissions Law, in relation to powers of the Commission in the First District with respect to stage coach routes" (Int. No. 434), which was read the first time and referred to the committee on railroads.

Mr. Hamilton introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to miscellaneous practice regulations" (Int. No. 435), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Municipal Court Act of the city of New York, in relation to judgments" (Int. No. 436), which was read the first time and referred to the committee on codes.

Mr. Horton introduced a bill entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine a claim of the Oneida nation of Indians" (Int. No. 437), which was read the first time and referred to the committee on claims.

Mr. Jackson introduced a bill entitled "An act to amend the General Business Law, in relation to sale of stocks, bonds or other securities" (Int. No. 438), which was read the first time and referred to the committee on the judiciary.

Mr. Kennedy introduced a bill entitled "An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity, and providing for the improvement thereof" (Int. No. 439), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Greater New York charter, in relation to the cancellation of certain assessments for public improvements levied against property belonging to the city" (Int. No. 440), which was read the first time and referred to the committee on affairs of cities.

Mr. Kenney introduced a bill entitled "An act to amend the General Business Law, in relation to auctioneers and sales at auction in the city of New York" (Int. No. 441), which was read the first time and referred to the committee on general laws.

Mr. Macdonald introduced a bill entitled "An act to amend the Highway Law, in relation to a new State route to be improved by the State" (Int. No. 442), which was read the first time and referred to the committee on internal affairs.

Mr. McCollum introduced a bill entitled "An act making an appropriation additional to that made by chapter three hundred and ninety-seven of the Laws of nineteen hundred and twelve, for the construction of a drain from the culvert under the Erie canal, at Chapel street, in the city of Lockport" (Int. No. 443), which was read the first time and referred to the committee on ways and means.

Mr. McElligott introduced a bill entitled "An act to amend the Personal Property Law, relative to transfers of shares of stock in corporations" (Int. No. 444), which was read the first time and referred to the committee on general laws.

Mr. McGrath introduced a bill entitled "An act to amend the



Code of Civil Procedure, in relation to removal of interpreters and attendants of the city court of the city of New York " (Int. No. 445), which was read the first time and referred to the committee on codes.

Mr. McKee introduced a bill entitled "An act to amend the Greater New York charter, in relation to the disposition of the proceeds of certain personal property sold by the board of education " (Int. No. 446), which was read the first time and referred to the committee on affairs of cities.

Mr. O'Connor introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals ' " (Int. No. 447), which was read the first time and referred to the committee on codes.

Mr. Robinson introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to telephone and telegraph lines and telephone and telegraph companies, giving jurisdiction to the commission of the first district " (Int. No. 448), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Ulrich introduced a bill entitled "An act to amend the Greater New York charter, in relation to the interest on unpaid taxes " (Int. No. 449), which was read the first time and referred to the committee on affairs of cities.

Mr. Van Woert introduced a bill entitled "An act to provide for the construction of a new bridge over the Black River canal, at Main street in the village of Port Leyden, in the county of Lewis, and making an appropriation therefor " (Int. No. 450), which was read the first time and referred to the committee on ways and means.

Mr. Willmott introduced a bill entitled "An act to amend the General Business Law, in relation to marking canned goods " (Int. No. 451), which was read the first time and referred to the committee on general laws.

Also, " Concurrent resolution proposing an amendment to article twelve of the Constitution, relating to franchises for street railways in cities of the first class " (Int. No. 452), which was read the first time and referred to the committee on the judiciary.



Also, "An act to amend the Greater New York charter, in relation to dismissals from the police force" (Int. No. 453), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Railroad Law, in relation to preventing the construction of elevated railroads on certain streets in the borough of Brooklyn" (Int. No. 454), which was read the first time and referred to the committee on railroads.

Mr. Ward introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to compensation of attorneys in cities of the first class" (Int. No. 455), which was read the first time and referred to the committee on codes.

Mr. Yeomans introduced a bill entitled "An act to amend chapter six hundred and sixty-three of the laws of eighteen hundred and ninety-two, entitled 'An act to make the office of county clerk of Wayne county a salaried office, and regulating the fees and management of said office,' in relation to compensation of the county clerk of such county" (Int. No. 456), which was read the first time and referred to the committee on internal affairs.

Mr. Emden introduced a bill entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' generally, and abolishing the office of ward collector" (Int. No. 457), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammer introduced a bill entitled "An act to amend the Greater New York charter, in relation to the transfer and utilization of cash balances in corporate stock funds" (Int. No. 458), which was read the first time and referred to the committee on affairs of cities.

Mr. Weil introduced a bill entitled "An act to amend the Greater New York charter, in relation to the transfer of moneys from the general fund of the city to appropriate accounts for the purpose of adjusting deductions made under the provisions of the Tax Law referring to taxes upon special franchises" (Int. No. 459), which was read the first time and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill entitled "An act to amend the Town Law, in relation to the appointment of special constables" (Int. No. 460), which was read the first time and referred to the committee on internal affairs.

Mr. Brewster introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to the powers of the Public Service Commission in respect of carriers of passengers and freight by water" (Int. No. 461), which was read the first time and referred to the committee on railroads.

Mr. Bush introduced a bill entitled "An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor" (Int. No. 462), which was read the first time and referred to the committee on ways and means.

Mr. Silverstein introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to fees for service of process" (Int. No. 463), which was read the first time and referred to the committee on codes.

Mr. Burr introduced a bill entitled "An act to amend section five hundred and fifty of the Code of Criminal Procedure, in reference to bail" (Int. No. 464), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Greater New York charter, in relation to fire department pilots" (Int. No. 465), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill, introduced by T. D. Taylor (No. 140, Int. No. 138), entitled "An act to legalize any irregularity, omission or error in the making, levying and assessment of State and county taxes in the county of Rensselaer."

Also, Assembly bill introduced by Mr. McElligott (No. 48, Int. No. 48), entitled "An act to incorporate the Harriman Research Laboratory."

Also, Assembly bill introduced by Mr. Greenberg (No. 77, Int. No. 77), entitled "An act to amend the Judiciary Law, in relation to the furnishing of copies of proceedings to parties in civil and criminal actions," reported in favor of the passage of the

same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill, introduced by Mr. Bovie (No. 287, Int. No. 283), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the public school teachers' retirement fund of said city and payments therefrom."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 303, Int. No. 299), entitled "An act to authorize and empower the city of New York to acquire a site beyond its territorial limits for use of The New York City Reformatory of Misdemeanants under the jurisdiction of the department of correction of the city of New York."

Also, Assembly bill introduced by Mr. McKeon (No. 279, Int. No. 275), entitled "An act to amend the Greater New York charter, in relation to the department of parks."

Also, Assembly bill introduced by Mr. McKeon (No. 280, Int. No. 276), entitled "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind."

Also, Assembly bill introduced by Mr. Oxford (No. 237, Int. No. 234), entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Antonio M. Caridi, Theodore Palumbo, Frank V. Bruno and Alfred Bertoncini for services rendered to the said city."

Also, Assembly bill introduced by Mr. Madden (No. 135, Int. No. 133), entitled "An act to amend the Second Class Cities Law, in relation to the creation of funded indebtedness."

Also, Assembly bill introduced by Mr. Rozan (No. 149, Int. No. 146), entitled "An act to amend chapter two hundred and eighty-one of the Laws of nineteen hundred and twelve, entitled 'An act to authorize the city of Buffalo to issue sinking fund water bonds for the purpose of raising money to pay and retire water bonds for which no sinking fund is provided,' authorizing the payment and retirement also of outstanding refunding bonds issued heretofore to pay and retire such water bonds, and relating to the

rate of interest and place of payment of such sinking fund water bonds."

Also, Assembly bill introduced by Mr. Rozan (No. 108, Int. No. 108), entitled "An act authorizing the common council and mayor of the city of Buffalo to lease or grant a right to use to abutting owners on the north side of Sienkiewicz place in said city a strip of land of said street not to exceed six feet in width."

Also, Assembly bill introduced by Mr. Bush (No. 145, Int. No. 142), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to limitation of moneys to be raised for defraying city expenses."

Also, Assembly bill introduced by Mr. Schwarz (No. 139, Int. No. 137), entitled "An act to amend chapter fifty-five of the Laws of nineteen hundred and nine, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' in relation to municipal lighting," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Evans (No. 194, Int. No. 191), entitled "An act to amend the Town Law, in relation to licensing public vehicles and entertainments."

Also, Assembly bill introduced by Mr. McDaniels (No. 125, Int. No. 125), entitled "An act to amend the County Law, relative to tuberculosis hospitals."

Also, Assembly bill introduced by Mr. Yard (No. 111, Int. No. 111), entitled "An act to amend the Town Law, in relation to the compensation of town auditors," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 105, Int. No. 105), introduced by Mr. Pullman, entitled "An act to amend the Town Law, in relation to the compensation of town officers," reported in favor of the passage of the same, with the following amendments:

Page 1, line 3, after the quotation mark insert the following: "as amended by chapter four hundred and ninety-one of the laws of nineteen hundred and nine."

Page 2, line 3, after "poor" insert a comma; strike out the brackets inclosing "two"; strike out "three"; before "except" insert in italics the following: "except that the board of supervisors of any county, may, by resolution, fix a different compensation for the supervisors, town clerks, justices of the peace or overseers of the poor of the towns within such county, not exceeding three dollars per day, and "".

Line 12, after "except" insert "that" in italics.

Line 18, after "pensation" insert in italics the following: "for the assessors and superintendents of highways of said towns."

Page 3, line 8, strike out "injuring" and insert in place thereof "killing"; strike out "killing" and insert in place thereof "injuring".

Line 15, strike out "monys" and insert in place thereof "moneys".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Butts, from the committee on the affairs of villages, to which was referred Assembly bill, introduced by Mr. Shepardson (No. 165, Int. No. 162), entitled "An act to amend chapter seven of the Laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to lighting contracts in such village and payments thereon."

Also, Assembly bill introduced by Mr. Hughes (No. 109, Int. No. 109), entitled "An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class."

Also, Assembly bill introduced by Mr. Yeomans (No. 208, Int. No. 205), entitled "An act to amend the Village Law, in relation to powers of village trustees to provide for band concerts."

Also, Assembly bill introduced by Mr. Bryant (No. 288, Int. No. 284), entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and eighty-four, entitled 'An act to amend chapter one hundred and forty of the Laws of eighteen hundred and fifty-three, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village," and the several acts amendatory thereof,' in re-

lation to providing moneys by taxation for the village sanitary sewer system and extensions thereof."

Also, Assembly bill introduced by Mr. Yard (No. 286, Int. No. 282), entitled "An act to legalize the proceedings taken by the village of Pleasantville, Westchester county, New York, for an issue of bonds in the amount of twenty-six thousand dollars, for the purpose of acquiring land for and constructing a hill-top reservoir with pipe line thereto, alteration and extension of mains, improving pumping system and installing water meters in said village.

Also, Assembly bill introduced by Mr. Yard (No. 285, Int. No. 281), entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose."

Also, Assembly bill introduced by Mr. Pullman (No. 242, Int. No. 239), entitled "An act to amend chapter one hundred and fifty-seven of the Laws of eighteen hundred and forty-four, entitled 'An act to incorporate the village of Mohawk,' in relation to the creation of a board of commissioners for the Weller library in the village of Mohawk, and defining its powers and duties," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McDaniels, from the committee on public health, to which was referred Assembly bill (No. 41, Int. No. 41) introduced by Mr. Greenberg, entitled "An act to amend the Public Health Law, in relation to the practice of midwifery," reported in favor of the passage of the same, with the following amendment:

Page 2, line 16, strike out the word "immediately" and insert September first, nineteen hundred and thirteen."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McDaniels (No. 249, Int. No. 126), entitled "An act to amend the County Law, in relation to county hospitals for tuberculosis," reported the same without

recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the County Law, in relation to county hospitals for tuberculosis." (Pr. No. 249, Int. No. 126.)

Mr. Caughlan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Assembly bill (No. 268, Int. No. 264) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals," and that said bill be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Caughlan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Assembly bill (No. 267, Int. No. 263) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo," and that said bill be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Caughlan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Assembly bill (No. 227, Int. No. 224) entitled "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to judgments, sentences and commitments in the magistrates' courts of said city," and that said bill be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.



Mr. Caughlan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Assembly bill (No. 226, Int. No. 223) entitled "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to the power of magistrates to suspend sentence without probation," and that said bill be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Caughlan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Assembly bill (No. 173, Int. No. 169) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the compensation and lien of attorneys and counsellors in said court," and that said bill be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Caughlan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Assembly bill (No. 133, Int. No. 131) entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million," and that said bill be referred to the committee on electricity, gas and water supply.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cuvillier moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The bill (No. 177, Int. No. 174) entitled "An act to amend the Military Law, in relation to the bureau of war records," having been announced,



Mr. Speaker stated the question to be upon the amendments offered by Mr. Hinman.

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

AYES 36

NOES 71

Those who voted in the affirmative were:

Adler	Fuller	Knight	Prime	Smith J A
Baxter	Gage	Macdonald	Richardson	Sufrin
Bradley	Gillett	Machold	Robinson	Sullivan
Brereton	Grace	Magee	Schaap	Tallett
Bryant	Hinman	Malone	Schnirel	Vert
Bush	Horton	Pappert	Seaker	Wood
Campbell	Jude	Pembleton	Seelye G T	Yeomans
Edwards				

Those who voted in the negative were:

Benninger	Dox	Grimme	Larrimer	Schwarz
Bovie	Eisner	Hammer	Levy	Silverstein
Brewster	Emden	Hover	Lewis	Squire
Burden	Esquirol	Hughes	Madden	Sutphin
Butts	Evans	Ingram	McCollum	Taylor T D
Carver	Fallon	Jackson	McElligott	Telford
Caughlan	Fitzgerald	Kane	McGrath	Tudor
Cole	Gallup	Kelly J A	McKeon	Van Woert
Cotillo	Gathright	Kelly P J	Monahan	Walker
Cronin	Geoghan	Kenney	Oxford	Ward
Cuvillier	Geyer	Kennedy	Patrie	Willard
Deits	Gibbs	Kerrigan	Pullman	Willmott
Denney	Greenberg A	Kiernan	Rozan	Ulrich
Donohue	Greenberg M	Knott	Schifferdecker	Yard
Doty				

Said bill was then read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 247, Int. No. 244) entitled "An act to amend the Military Law, in relation to pay of officers serving on boards, commissions and courts," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 248, Int. No. 245) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Levy moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Eisner	Horton	McCollum	Shepardson
Allen	Emden	Hover	McDaniels	Silverstein
Baxter	Esquirol	Hughes	McElligott	Smith J A
Benninger	Evans	Ingram	McGrath	Smith M
Bovie	Fallon	Jackson	McKeon	Squire
Bradley	Fitzgerald	Jude	McMahon	Sufrin
Brewster	Fuller	Kane	Monahan	Sullivan
Bryant	Gage	Kelly J A	Oxford	Sutphin
Burden	Gallup	Kelly P J	Pappert	Sweet
Bush	Garvey	Kenney	Patrie	Tallett
Butts	Gathright	Kennedy	Pembleton	Taylor T D
Campbell	Geoghan	Kerrigan	Prime	Telford
Carroll	Geyer	Kiernan	Pullman	Tudor
Carver	Gibbs	Knight	Richardson	Van Woert
Caughlan	Gillett	Knott	Robinson	Vert
Cole	Goldberg	Larrimer	Rozan	Walker
Cronin	Grace	Levy	Schaap	Ward
Cuvillier	Greenberg A	Lewis	Schifferdecker	Willmott
Daley	Greenberg M	Machold	Schnirel	Wood
Deitz	Grimme	Madden	Schwarz	Ulrich
Denney	Gurnett	Magee	Seaker	Yale
Doty	Hammer	Malone	Seely J L	Yard
Dox	Hinman	Maloney	Seelye G T	Yeomans
Edwards				

Mr. Levy moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 132, Int. No. 54) entitled "An act to amend the Military Law, in relation to the Adjutant-General of the State," having been announced,

Debate was had thereon.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 80

NOES 35

Those who voted in the affirmative were :

Benninger	Eisner	Gurnett	Larrimer	Rozan
Bovie	Emden	Hammer	Levy	Schifferdecker
Brewster	Esquirol	Hover	Lewis	Schwarz
Burden	Evans	Hughes	Madden	Seely J L
Bush	Fallon	Ingram	Maloney	Silverstein
Campbell	Fitzgerald	Jackson	McCollum	Squire
Carver	Gallup	Kane	McDaniels	Sutphin
Caughlan	Garvey	Kelly J A	McElligott	Taylor T D
Cole	Gathright	Kelly J J	McGrath	Telford
Cronin	Geoghan	Kelly J D	McKeon	Tudor
Cuvillier	Geyer	Kelly P J	McMahon	Van Woert
Daley	Gibbs	Kenney	Monahan	Walker
Deitz	Goldberg	Kennedy	Oxford	Ward
Denney	Greenberg A	Kerrigan	Patrie	Willmott
Doty	Greenberg M	Kiernan	Pullman	Ulrich
Dox	Grimme	Knott	Robinson	Yard

Those who voted in the negative were :

Adler	Gage	Machold	Schaap	Smith T K
Allen	Gillett	Magee	Schnirel	Sufrin
Baxter	Grace	Malone	Seaker	Sullivan
Bradley	Hinman	Pappert	Seelye G T	Sweet
Bryant	Horton	Pembleton	Shepardson	Tallett
Edwards	Jude	Prime	Smith J A	Vert
Fuller	Knight	Richardson	Smith M	Wood

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 128, Int. No. 128) entitled "An act to amend the Highway Law, in relation to the description of route five-a to be constructed or improved by the State," having been announced for third reading,

On motion of Mr. Telford, said bill was recommitted to the committee on internal affairs, retaining its place on the order of third reading.

Mr. Kennedy offered for the consideration of the House a resolution, in the words following:

Whereas, A notice of contest of election has been duly filed with the Clerk of this House, whereby Richard Lynster contests the election of Thomas L. Ingram, representing the Twenty-third District of Kings county; therefore be it

Resolved, That the said contest of election and any and all other notices of contest and contests of election of members of this House which may be subsequently presented or filed, upon the presentation and filing of the same, be and the same are hereby

ordered referred to the committee on privileges and elections and that the said committee be and it hereby is empowered to hear said contest of election, to conduct an investigation into the grounds thereof, and to take testimony therein, with full power to prosecute its inquiry in any and every direction in its judgment necessary and proper to enable it to obtain and to report to this House the facts in reference to the said contest of election, together with its recommendations thereon; and further be it

Resolved, That the chairman of said committee be and hereby is authorized to employ a stenographer and two other assistants as may be deemed necessary by him, for the proper conduct of the inquiry herein directed and that the committee be empowered in its discretion to conduct the investigation and take testimony in any county of the State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Maloney	Seelye G T
Allen	Dox	Horton	McCollum	Silverstein
Baumes	Edwards	Hover	McDaniels	Smith J A
Baxter	Eisner	Hughes	McElligott	Smith M
Benninger	Emden	Ingram	McKee	Smith T K
Bowie	Esquirol	Jackson	McKeon	Squire
Bradley	Evans	Jones	McMahon	Sufrin
Brereton	Fallon	Jude	Monahan	Sutphin
Brewster	Fitzgerald	Kane	Norton	Sweet
Bryant	Fuller	Kelly J A	O'Brien	Tallett
Burden	Gage	Kelly J J	O'Connor	Taylor F J
Burr	Gallup	Kelly J D	Oxford	Taylor T D
Bush	Garvey	Kelly P J	Pappert	Telford
Butts	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Van Woert
Carroll	Geyer	Kerrigan	Phillips	Vert
Carver	Gibbs	Kiernan	Prime	Volk
Caughlan	Gillen	Knight	Pullman	Walker
Cole	Gillett	Knott	Richardson	Ward
Cotillo	Goldberg	Kornobis	Robinson	Webb
Cronin	Grace	Larrimer	Rozan	Willard
Cuvillier	Greenberg A	Levy	Schaap	Willmott
Daley	Greenberg M	Lewis	Schifferdecker	Wood
Deitz	Grimme	Machold	Schnirel	Ulrich
Dennen	Gurnett	Madden	Schwarz	Yale
Denney	Hammer	Magee	Seaker	Yard
Donohue	Hinman	Malone	Seely J L	Yeomans
Dorst				

Mr. Jackson offered for the consideration of the House a resolution, in the words following:

Resolved, That one thousand additional copies of Assembly bill (Int. No. 265, Printed No. 269) entitled "An act to create a State insurance fund for the benefit of certain injured employees and their dependents in case of death, to provide for the payment of such fund and to provide for the administration of the same by a State commission of industrial accident awards," be printed for the use of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

AYES 118

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McDaniels	Shepardson
Allen	Eisner	Hover	McElligott	Silverstein
Baxter	Emden	Hughes	McGrath	Smith J A
Benninger	Esquirol	Ingram	McKeon	Smith M
Bovie	Evans	Jackson	McMahon	Squire
Bradley	Fallon	Jude	Monahan	Sufrin
Brewster	Fitzgerald	Kane	Oxford	Sullivan
Bryant	Fuller	Kelly J A	Pappert	Sutphin
Burden	Gage	Kelly P J	Patrie	Sweet
Bush	Gallup	Kenney	Pembleton	Tallett
Butts	Garvey	Kennedy	Phillips	Taylor T D
Campbell	Gathright	Kerrigan	Prime	Telford
Carroll	Geoghan	Kiernan	Pullman	Tudor
Carver	Geyer	Knight	Richardson	Van Woert
Caughlan	Gibbs	Knott	Robinson	Vert
Cole	Gillett	Larrimer	Rozan	Walker
Cotillo	Goldberg	Levy	Schaap	Ward
Cronin	Grace	Lewis	Schifferdecker	Willmott
Cuvillier	Greenberg A	Machold	Schnirel	Wood
Daley	Greenberg M	Madden	Schwarz	Ulrich
Deitz	Grimme	Magee	Seaker	Yale
Denney	Gurnett	Malone	Seely J L	Yard
Doty	Hammer	Maloney	Seelye G T	Yeomans
Dox	Hinman	McCollum		

Privileges of the floor were extended to Hon. Edwin Terry of Kings, Hon. N. L. Drummond of Cayuga, Hon. William Pease.

On motion of Mr. Levy, the House adjourned.

THURSDAY, JANUARY 23, 1913.

The House met pursuant to adjournment.

Prayer by Rev. George K. Statham.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Nineteenth Annual Report of the Board of Managers of the New York State Woman's Relief Corps Home, Oxford, N. Y., which was laid upon the table and ordered printed.

(See Assembly Document No. 18.)

Mr. Levy presented the memorial of the Legislative League for the Conservation of Human Life, which was referred to the committee on labor and industries.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to exempted parts of the borough of Brooklyn, city of New York" (No. 207, Rec. No. 4), which was read the first time and referred to the committee on affairs of cities.

Mr. Burr introduced a bill entitled "An act to amend the Greater New York charter, in relation to vacations for employees" (Int. No. 466), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to commissioners of deeds" (Int. No. 467), which was read the first time and referred to the committee on affairs of cities.

Mr. Carver introduced a bill entitled "An act to amend the Greater New York charter, in relation to the municipal explosives commission and to the powers, duties and regulations thereof" (Int. No. 468), which was read the first time and referred to the committee on affairs of cities.

Mr. Eisner introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to docketing and enforcement of a judgment of conviction which imposes a fine" (Int. No.

469), which was read the first time and referred to the committee on codes.

Mr. Esquirol introduced a bill entitled "An act to amend the Greater New York charter, in relation to the uniformed force of the fire department" (Int. No. 470), which was read the first time and referred to the committee on affairs of cities.

Mr. Hughes introduced a bill entitled "An act for the improvement of the tributaries of Black brook in Seneca county, and making an appropriation therefor" (Int. No. 471), which was read the first time and referred to the committee on ways and means.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Tax Law, in relation to the payment of the expenses of the collection of inheritance taxes" (Int. No. 472), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Code of Criminal Procedure, in relation to an order to compel a person to support a poor relative" (Int. No. 473), which was read the first time and referred to the committee on codes.

Mr. J. J. Kelly introduced a bill entitled "An act to amend the Greater New York charter, in relation to setting apart a pier for recreative purposes at the foot of State street, borough of Brooklyn" (Int. No. 474), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing amendments to article twelve of the Constitution, guaranteeing to cities and incorporated villages the right of municipal self-government and restricting the power of the Legislature to the enactment of general laws in reference thereto" (Int. No. 475), which was read the first time and referred to the committee on the judiciary.

Mr. McKeon introduced a bill entitled "An act to amend the Greater New York charter, in relation to interest on unpaid taxes in the city of New York" (Int. No. 476), which was read the first time and referred to the committee on affairs of cities.

Mr. T. K. Smith introduced a bill entitled "An act to amend chapter eight hundred and fifty-one of the Laws of nineteen hun-

dred and eleven, entitled 'An act to establish a State college of forestry at Syracuse University, and making an appropriation therefor,' relative to the objects and purposes of the college" (Int. No. 477), which was read the first time and referred to the committee on ways and means.

Also, "An act to supplement the provisions of law relating to the department of public works of the city of Syracuse" (Int. No. 478), which was read the first time and referred to the committee on affairs of cities.

Mr. Sullivan, by request, introduced a bill entitled "An act to amend the Labor Law, in relation to automatic hammers" (Int. No. 479), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend chapter five hundred and forty-seven of the Laws of eighteen hundred and ninety, entitled 'An act to make the office of county clerk of Chautauqua county a salaried office, and regulating the management of said office,' generally" (Int. No. 480), which was read the first time and referred to the committee on internal affairs.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to the creation of mutual companies to insure employers against loss, damage or compensation resulting from injuries suffered by employees, for which the person injured is liable" (Int. No. 481), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Greater New York charter, in relation to vacations of employees" (Int. No. 482), which was read the first time and referred to the committee on affairs of cities.

Mr. Ward introduced a bill entitled "An act to amend the Greater New York charter, relative to proceedings for street openings" (Int. No. 483), which was read the first time and referred to the committee on affairs of cities.

Mr. Carver introduced a bill entitled "An act to amend the State Law, in relation to lands under water in Long Island sound" (Int. No. 484), which was read the first time and referred to the committee on general laws.

Mr. Bush introduced a bill entitled "An act to establish and maintain a water department in and for the city of Elmira" (Int.



No. 485), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammer introduced a bill entitled "An act to amend the Banking Law, in relation to the payment of interest by savings banks" (Int. No. 486), which was read the first time and referred to the committee on banks.

Mr. Schifferdecker introduced a bill entitled "An act to amend the Penal Law, in relation to dangerous weapons" (Int. No. 487), which was read the first time and referred to the committee on codes.

Mr. Robinson introduced a bill entitled "An act to provide for the acquisition of land for a game farm in the county of Suffolk, and making an appropriation therefor" (Int. No. 488), which was read the first time and referred to the committee on ways and means.

Mr. G. T. Seelye introduced a bill entitled "An act to authorize the Canal Board to purchase the Halfmoon bridge, crossing the Mohawk river between the counties of Albany and Saratoga" (Int. No. 489), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to permitting the commissioner of parks to expend the sum of money to be received from the commissioners of the State Reservation at Saratoga Springs" (Int. No. 490), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter two hundred and fourteen of the Laws of eighteen hundred and eighty-seven, entitled "An act to organize and establish a police department for the village of Saratoga Springs, and defining its powers and duties,' in relation to providing for the appointment of a deputy police commissioner and raising the necessary funds for the support of the police department of said village" (Int. No. 491), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to

amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to cemeteries and the amount of money to be raised for the care of the same" (Int. No. 492), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to creating a comptroller's expense fund" (Int. No. 493), which was read the first time and referred to the committee on affairs of villages.

Mr. O'Brien introduced a bill entitled "An act to legalize certain acts and proceedings of the town of Harrison, its officers, agents and taxpayers, in the county of Westchester, relating to the establishment of a sewer district for such town and to the sale and issuance of its bonds therefor, and the acts and proceedings of the village of Rye in said county and of the conservation commission in connection therewith, and to provide for the payment of such bonds" (Int. No. 494), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend chapter one hundred and forty-eight of the Laws of nineteen hundred and five, entitled 'An act to authorize the board of trustees of the village of White Plains to acquire lands for the site of a public library and to maintain a public library, and issue bonds therefor,' in relation to the amount to be raised by taxation and expended, annually, for maintaining said library" (Int. No. 495), which was read the first time and referred to the committee on affairs of villages.

Mr. Denney introduced a bill entitled "An act to amend the Civil Service Law, in relation to vacations and leaves of absence for employees" (Int. No. 496), which was read the first time and referred to the committee on the judiciary.

Mr. McCollum introduced a bill entitled "An act to amend the Education Law, in relation to annual meetings of school districts" (Int. No. 497), which was read the first time and referred to the committee on public education.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Cuvillier (No. 2,

Int. No. 2), entitled "An act authorizing the Adjutant-General to confer a suitable bronze medal upon each soldier and sailor of the Spanish-American War who received an honorable discharge, and making an appropriation therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Geyer (No. 209, Int. No. 206), entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation," reported the same with the following amendment:

On page 2, line 11, after the period insert the following: "This section shall apply to all proceedings pending when this act takes effect."

and request that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. Goldberg (No. 263, Int. No. 259), entitled "An act to simplify the practice in the courts of the State of New York," reported in favor of the passage of the same, and requested that said bill be referred to ways and means committee, which report was agreed to, and said bill referred to the committee on ways and means.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 247, Int. No. 244), entitled "An act to amend the Military Law, in relation to pay of officers serving on boards, commissions and courts."

Also, the bill introduced by Mr. Cuvillier (No. 177, Int. No. 174), entitled "An act to amend the Military Law, in relation to the bureau of war records," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 248, Int. No. 245), entitled "An act to amend the Military Law, in relation to

privileges, prohibitions and penalties," reported the same with the following recommendations:

Page 3, line 17, "or naval militia" in roman type.

Page 3, line 21, after "national guard" insert "or naval militia" in italics.

which report was agreed to and said bill ordered reprinted and engrossed for a third reading.

The bill (No. 288, Int. No. 284) entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and eighty-four, entitled 'An act to amend chapter one hundred and forty of the Laws of eighteen hundred and fifty-three, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village," and the several acts amendatory thereof,' in relation to providing moneys by taxation for the village sanitary sewer system and extensions thereof," was read the second time.

On motion of Mr. Bryant, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 287, Int. No. 283) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the public school teachers' retirement fund of said city and payments therefrom," was read the second time.

On motion of Mr. Bovic, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 145, Int. No. 142) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to limitation of moneys to be raised for defraying city expenses," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 194, Int. No. 191) entitled "An act to amend the Town Law, in relation to licensing public vehicles and entertainments," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 77, Int. No. 77) entitled "An act to amend the Judiciary Law, in relation to the furnishing of copies of proceedings to parties in civil and criminal actions," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 109, Int. No. 109) entitled "An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class," was read the second time.

On motion of Mr. Hughes, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 303, Int. No. 299) entitled "An act to authorize and empower the city of New York to acquire a site beyond its territorial limits for use of the New York City Reformatory of Misdemeanants under the jurisdiction of the department of correction of the city of New York," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 135, Int. No. 133) entitled "An act to amend the Second Class Cities Law, in relation to the creation of funded indebtedness," was read the second time.

On motion of Mr. Madden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 125, Int. No. 125) entitled "An act to amend the County Law, relative to tuberculosis hospitals," having been announced for second reading,

On motion of Mr. McDaniels, said bill was recommitted to the committee on internal affairs, retaining its place on the order of second reading.

The bill (No. 48, Int. No. 48) entitled "An act to incorporate the Harriman Research Laboratory," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 279, Int. No. 275) entitled "An act to amend

the Greater New York charter, in relation to the department of parks," was read the second time.

On motion of Mr. McKeon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 280, Int. No. 276) entitled "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind," was read the second time.

On motion of Mr. McKeon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 237, Int. No. 234) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Antonio M. Caridi, Theodore Palumbo, Frank V. Bruno and Alfred Bertoncini for services rendered to the said city," was read the second time.

On motion of Mr. Oxford, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 242, Int. No. 239) entitled "An act to amend chapter one hundred and fifty-seven of the Laws of eighteen hundred and forty-four, entitled 'An act to incorporate the village of Mohawk,' in relation to the creation of a board of commissioners for the Weller library in the village of Mohawk, and defining its powers and duties," was read the second time.

On motion of Mr. Pullman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 149, Int. No. 146) entitled "An act to amend chapter two hundred and eighty-one of the Laws of nineteen hundred and twelve, entitled 'An act to authorize the city of Buffalo to issue sinking fund water bonds for the purpose of raising money to pay and retire water bonds for which no sinking fund is provided,' authorizing the payment and retirement also of outstanding refunding bonds issued heretofore to pay and retire such water bonds, and relating to the rate of interest and place of payment of such sinking fund water bonds," was read the second time.

On motion of Mr. Rozan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 108, Int. No. 108) entitled "An act authorizing the common council and mayor of the city of Buffalo to lease or

grant a right to use to abutting owners on the north side of Sienkiewiez place in said city a strip of land of said street not to exceed six feet in width," was read the second time.

On motion of Mr. Rozan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 139, Int. No. 137) entitled "An act to amend chapter fifty-five of the Laws of nineteen hundred and nine, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws, in relation to municipal lighting," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 165, Int. No. 162) entitled "An act to amend chapter seven of the Laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to lighting contracts in such village and payments thereon," was read the second time.

On motion of Mr. Shepardson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 140, Int. No. 138) entitled "An act to legalize any irregularity, omission or error in the making, levying and assessment of State and county taxes in the county of Rensselaer," was read the second time.

On motion of Mr. T. D. Taylor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 285, Int. No. 281) entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose," was read the second time.

On motion of Mr. Yard, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 286, Int. No. 282) entitled "An act to legalize the proceedings taken by the village of Pleasantville, Westchester county, New York, for an issue of bonds in the amount of twenty-six thousand dollars, for the purpose of acquiring land for and constructing a hilltop reservoir with pipe line thereto, alteration



and extension of mains, improving pumping system and installing water meters in said village," was read the second time.

On motion of Mr. Yard, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 111, Int. No. 111) entitled "An act to amend the Town Law, in relation to the compensation of town auditors," was read the second time.

On motion of Mr. Yard, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 208, Int. No. 205) entitled "An act to amend the Village Law, in relation to powers of village trustees to provide for band concerts," was read the second time.

On motion of Mr. Yeomans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 249, Int. No. 126) entitled "An act to amend the County Law, in relation to county hospitals for tuberculosis," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McElligott	Smith J A
Allen	Eisner	Hover	McKee	Smith M
Baumes	Emden	Hughes	McKeon	Smith T K
Baxter	Esquirol	Jackson	McMahon	Squire
Benninger	Evans	Jones	Monahan	Sutphin
Bovie	Fallon	Jude	Norton	Sweet
Bradley	Fitzgerald	Kane	Pappert	Tallett
Brereton	Fuller	Kelly J A	Patrie	Taylor F J
Brewster	Gage	Kelly P J	Pembleton	Taylor T D
Bryant	Gallup	Kenney	Prime	Telford
Bush	Garvey	Kennedy	Pullman	Tudor
Butts	Gathright	Kerrigan	Richardson	Van Woert
Campbell	Geyer	Knight	Robinson	Vert
Carroll	Geoghan	Knott	Rozan	Walker
Carver	Gibbs	Lane	Schaap	Ward
Caughlan	Gillett	Larrimer	Schifferdecker	Webb
Cronin	Goldberg	Levy	Schnirel	Weil
Cuvillier	Grace	Lewis	Schwarz	Willard



Daley	Greenberg A	Machold	Seaker	Willmott
Deitz	Grimme	Madden	Seely J L	Wood
Dennen	Gurnett	Magee	Seelye G T	Ulrich
Denney	Hammer	Malone	Shepardson	Yale
Donohue	Hinman	Maloney	Silverstein	Yard
Doty	Hopkins	McDaniels	Small	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The privileges of the floor were extended to Hon. Charles Cosad of Seneca.

On motion of Mr. Levy, the House adjourned.

## FRIDAY, JANUARY 24, 1913.

The House met pursuant to adjournment.

Prayer by Rev. P. A. MacDonald, Saratoga Spa.

On motion of Mr. Patrie, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Inventory of the Board of Trustees of Public Buildings, which was laid upon the table and ordered printed.

(See Assembly Document No. 22.)

Mr. Evans introduced a bill entitled "An act to amend the Railroad Law, in relation to badges and uniforms for officers or employees" (Int. No. 498), which was read the first time and referred to the committee on railroads.

Mr. Gillett introduced a bill entitled "An act to provide for repairs to the bridge over Keuka lake outlet in the village of Penn Yan, and making an appropriation therefor" (Int. No. 499), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Conservation Law, in relation to trespassing on private lands" (Int. No. 500), which was read the first time and referred to the committee on conservation.

Mr. Levy introduced a bill entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation

to permitting labor and secular business on Sunday by certain persons" (Int. No. 501), which was read the first time and referred to the committee on codes.

Also, "An act to incorporate the Ministers and Missionaries Benefit Board of the Northern Baptist Convention" (Int. No. 502), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights,' constituting chapter six of the Consolidated Laws" (Int. No. 503), which was read the first time and referred to the committee on codes.

Mr. McElligott introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to actions on conditional sale agreements and chattel mortgages" (Int. No. 504), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Personal Property Law, in relation to conditional sales and enforcement of contracts therefor and of chattel mortgages" (Int. No. 505), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Labor Law, in relation to mechanics working in State institutions" (Int. No. 506), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Lien Law, in relation to action to foreclose a lien" (Int. No. 507), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Penal Law, in relation to violations of the Personal Property Law" (Int. No. 508), which was read the first time and referred to the committee on codes.

Mr. Walker introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to illegal sales and selling" (Int. No. 509), which was read the first time and referred to the committee on excise.

Mr. Jackson introduced a bill entitled "An act to amend the

Labor Law, in relation to the clean, sanitary and safe condition of factory buildings " (Int. No. 510), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to posting copies of abstracts of the provisions thereof " (Int. No. 511), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to the prohibition of the employment of children in the operation of dangerous machinery and in trades, occupations or processes of manufacture dangerous or injurious to their health and in relation to the prohibition of the employment of women in the core-rooms of foundries " (Int. No. 512), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to foundries " (Int. No. 513), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to protecting the health and morals of females employed in factories by providing an adequate period of rest at night " (Int. No. 514), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to fire alarm signal systems and fire drills " (Int. No. 515), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to seats in factories and other establishments for female employees " (Int. No. 516), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to automatic sprinklers " (Int. No. 517), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to fire prevention in factories " (Int. No. 518), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to cleanliness of workrooms in factories " (Int. No. 519), which was read the first time and referred to the committee on labor and industries.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bovie (No. 287, Int. No. 283), entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the public school teachers' retirement fund of said city and payments therefrom."

Also, the bill introduced by Mr. Pullman (No. 242, Int. No. 239), entitled "An act to amend chapter one hundred and fifty-seven of the Laws of eighteen hundred and forty-four, entitled 'An act to incorporate the village of Mohawk,' in relation to the creation of a board of commissioners for the Weller library in the village of Mohawk, and defining its powers and duties."

Also, the bill introduced by Mr. Rozan (No. 108, Int. No. 108), entitled "An act authorizing the common council and mayor of the city of Buffalo to lease or grant a right to use to abutting corners on the north side of Sienkiewiez place in said city a strip of land on said street not to exceed six feet in width."

Also, the bill introduced by Mr. Yard (No. 111, Int. No. 111), entitled "An act to amend the Town Law, in relation to the compensation of town auditors."

Also, the bill introduced by Mr. Yard (No. 286, Int. No. 282), entitled "An act to legalize the proceedings taken by the village of Pleasantville, Westchester county, New York, for an issue of bonds in the amount of twenty-six thousand dollars for the purpose of acquiring lands for and constructing a hilltop reservoir with pipe line thereto, alteration and extension of mains, improving pumping system and installing water meters in said village."

Also, the bill introduced by Mr. Yard (No. 285, Int. No. 281), entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose."

Also, the bill introduced by Mr. Taylor (No. 140, Int. No. 138), entitled "An act to legalize any irregularity, omission or error in the making, levying and assessment of State and county taxes in the county of Rensselaer."

Also, the bill introduced by Mr. Shepardson (No. 165, Int. No.

162), entitled "An act to amend chapter seven of the Laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to lighting contracts in such village and payments thereon."

Also, the bill introduced by Mr. Rozan (No. 149, Int. No. 146), entitled "An act to amend chapter two hundred and eighty-one of the Laws of nineteen hundred and twelve, entitled 'An act to authorize the city of Buffalo to issue sinking fund water bonds for the purpose of raising money to pay and retire water bonds for which no sinking fund is provided,' authorizing the payment and retirement also of outstanding refunding bonds issued heretofore to pay and retire such water bonds, and relating to the rate of interest and place of payment of such sinking fund water bonds."

Also, the bill introduced by Mr. Oxford (No. 237, Int. No. 234), entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of claims of Antonio M. Caridi, Theodore Palumbo, Frank V. Bruno and Alfred Bertoncini for services rendered to the said city."

Also, the bill introduced by Mr. McKeon (No. 280, Int. No. 276), entitled "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind."

Also, the bill introduced by Mr. McElligott (No. 48, Int. No. 48), entitled "An act to incorporate the Harriman Research Laboratory."

Also, the bill introduced by Mr. Madden (No. 135, Int. No. 133), entitled "An act to amend the Second Class Cities Law, in relation to the creation of funded indebtedness."

Also, the bill introduced by Mr. J. D. Kelly (No. 303, Int. No. 299), entitled "An act to authorize and empower the city of New York to acquire a site beyond its territorial limits for use of the New York City Reformatory of Misdemeanants under the jurisdiction of the department of correction of the city of New York."

Also, the bill introduced by Mr. Hughes (No. 109, Int. No. 109), entitled "An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class."

Also, the bill introduced by Mr. Evans (No. 194, Int. No. 191),

entitled "An act to amend the Town Law, in relation to licensing public vehicles and entertainments."

Also, the bill introduced by Mr. Bush (No. 145, Int. No. 142), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to limitations of moneys to be raised for defraying city expenses," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Yeomans (No. 208, Int. No. 205), entitled "An act to amend the Village Law, in relation to powers of village trustees to provide for band concerts," reported the same with the following recommendation:

On page 1, line 10, after "22-a." insert "Band concerts."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision to which was referred the bill introduced by Mr. Schwarz (No. 139, Int. No. 137), entitled "An act to amend chapter fifty-five of the Laws of nineteen hundred and nine, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' in relation to municipal lighting," reported the same with the following recommendation:

On page 2, line 11, before "property" insert "absolute".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bryant (No. 288, Int. No. 284), entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and eighty-four, entitled 'An act to amend chapter one hundred and forty of the Laws of eighteen hundred and fifty-three, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village," and the several acts amendatory thereof,' in relation to providing moneys by taxation for the village sanitary sewer

system and extensions thereof," reported the same with the following recommendation:

On page 4, line 11, before "male" strike out "every" and insert "each".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McKeon (No. 279, Int. No. 275), entitled "An act to amend the Greater New York charter, in relation to the department of parks," reported the same with the following recommendation:

On page 2, line 7, after "buildings" strike out "and" and insert "in".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Daley, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Military Law, in relation to the bureau of war records." (Pr. No. 177, Int. No. 174.)

"An act to amend the Military Law, in relation to pay of officers serving on boards, commissions and courts." (Pr. No. 247, Int. No. 244.)

The bill (No. 2, Int. No. 2) entitled "An act authorizing the Adjutant-General to confer a suitable bronze medal upon each soldier and sailor of the Spanish-American war who received an honorable discharge, and making an appropriation therefor," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Patrie, the House adjourned.

MONDAY, JANUARY 27, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Edward A. Doughen.

On motion of Mr. Levy, the reading of the journal of Friday, January 24th, was dispensed with and the same was approved.

A message from the Governor, by the hand of his Secretary, was received and read in words following:

STATE OF NEW YORK,

EXECUTIVE CHAMBER,

ALBANY, *January 27, 1913.*

*To the Legislature:*

A matter concerning the general welfare of our State, to which I desire to call the attention of your honorable bodies, is the subject of remedial legislation regarding stock exchanges.

These stock exchanges, as is well known, are places where the purchase and sale of stocks, bonds and other securities, as distinguished from commodities, are carried on and transacted.

Illegitimate stock speculations result from improper, unnecessary, and fraudulent manipulations through matched orders, wash sales, pooling agreements, etc., which are no more nor less than fictitious transactions, and affect the public by assuming to create values where none exist, or values not according to the intrinsic worth of the securities.

The people have a vital interest in seeing to it that transactions upon stock exchanges are conducted honestly, and with due regard to the protection of the investing public. These transactions involve such great amounts, affect such a large number of the investing public, and are so bound up with the success of our business enterprises, that the subject is one requiring careful consideration by the members of the Legislature of the greatest commercial State in the Union.

Complaints of flagrant abuses led Governor Hughes, in December, 1908, to refer the subject for investigation to an unofficial committee of eminent citizens of conspicuous ability, who submitted a comprehensive report thereon the following June.

In dealing with the subject this committee recognized the fact



that these stock exchanges are the most important markets in the world; that their influence upon the welfare of the people of the United States cannot be overestimated; because they are the places where prices are made, and a ready market provided, for the billions of dollars of corporate securities, constituting the investments of perhaps a million individuals, and thousands of banks, savings institutions, and insurance companies.

The report shows that the committee was convinced that serious abuses existed. It declared that a substantial part of the transactions in these stock exchanges were virtually gambling operations; and the statements were conclusive that often prices of securities were grossly manipulated by speculators, causing material losses to the public and moral detriment to the people.

While most conservative in its recommendations, this committee, of distinguished citizens, did not hesitate to condemn these evils specifically, and to admonish the governors of the exchanges to take the necessary corrective measures, which with their experience and the plenary powers conferred upon them by their rules and constitution, they could devise more effectively, without injury to legitimate business, than any other body of men; pointing out that unless they did so the State would be compelled to intervene.

These stock exchanges are an inevitable necessity. They cannot be destroyed without doing irreparable injury to business. When properly conducted they constitute an efficient agency for promoting industrial and commercial prosperity. As at present constituted, however, they are beyond the regulative powers of any administrative department of the State.

That evils requiring immediate remedy exist is beyond dispute. These evils are easily discovered and readily stated, but the remedies to be applied require deliberate consideration and the most delicate adjustment to meet the situation, so as to benefit the public at large, and at the same time not disturb economic and industrial conditions.

Recently a committee of the House of Representatives has taken cognizance of the conditions, as matters which concerned the whole country, and has placed on record the testimony of some of the governors of the exchanges, and of other persons, which leaves no doubt in the minds of men of judgment that the exchanges have been either incapable, or unwilling, to devise measures that will effectively eradicate the evils.

In view of these circumstances it is now the obvious duty of the State, it seems to me, to devise the remedies. If the State neglects to do its plain duty, the State should find no fault if the Federal government acts in the premises.

A critical examination of the testimony adduced in the congressional investigation shows that the grossest of the evils — manipulations of prices of securities, by means of which the public is deceived and mulcted — are not only possible under the present regulations of these exchanges, but that they actually occur.

It is demonstrated that the members of the exchanges are aware of these occurrences, but ignore them; manifesting a surprising indifference to the public interest; and to the reputation of the exchanges which is often besmirched by these vicious operations.

It is now conceded by some of the officials that a gambling taint is present in some of the transactions — a concession that confirms the general opinion.

It has been established as a fact by the testimony, that transactions in their nature essentially fictitious, which make manipulations possible, are carried on without serious attempts at restraint, on the pretense that they are in form in compliance with the regulations.

Abuses of the mechanisms, and violations of just and equitable principles of trading, are treated leniently instead of being vigorously condemned and followed by condign punishment.

The testimony further shows that in cases where members have been punished for extreme violations of the rules, it also indicates quite clearly that there are habitual evasions, undisclosed because not investigated.

Many of the evil practices are not disclosed until the books of members who fail are examined; but this has not led the governors to exercise their power of examination prior to failures.

The men who have been entrusted with the power to regulate the operations of these exchanges have sometimes displayed inexcusable laxity in their duties to the public, frequently surprising incapacity to conduct the institutions properly, and again an unwillingness to enforce the just and equitable principles of trade which they profess. Since they have failed or refused to exercise the power to prevent such clearly vicious abuses, the authority of the State must be invoked to exercise that power.

Certain of the methods of business and of the operations conducted upon these exchanges have been the subject of many com-

plaints and grave criticisms. Some of those methods and practices merit the severest condemnation and others do not appear, upon careful examination of the facts, to be well founded.

As a matter of fact it seems to me the necessary machinery of these exchanges is often employed with impunity by or through members to commit depredations upon the public.

These things must be stopped. An enlightened public opinion demands it. An exchange in which they occur ceases to be a legitimate market, and becomes a powerful mulcting instrument.

Suffice it for me now to call to your attention certain suggestions that have been made looking toward immediate remedial legislation, and to submit for your consideration other subjects with a view to essential legislative acts.

#### MANIPULATION.

Of the many subjects of complaint none exceeds in importance the grievances that arise from the subject of so-called stock manipulation. This manipulation is one of the matters about which there has been much public discussion. It may not be easy to define manipulation or to lay down rules that will clearly distinguish between justifiable and unjustifiable transactions in securities. The bringing of a stock into notice so that it may be a marketable security at its real value resulting from sales and purchases is not open to valid criticism.

What is a subject of just criticism, however, is a concerted movement artificially to raise, or depress, the price of a stock in order to enable those participating in the movement to realize a resulting speculative profit. Such movements in the main seem to be produced by a combination of men uniting together for the purpose of raising, or depressing, the price of a security in which they have decided to institute a movement.

A law should be promptly enacted that will clearly distinguish proper transactions of purchase and sale, on the one hand, from those on the other hand that are the result of combinations designed to raise artificially, or to depress, the price of securities without regard to their true value, or to the real state of legitimate demand and supply.

#### THE POWER OF THE STATE.

The power of the State to enact remedial legislation to cure existing evils in such business, and place it under the regulative administration of one or more of its departments is undoubted.

This authority of the State is embraced within the State's sovereign power, called the "police power."

An able characterization of the police power of a State was made by Mr. Justice Harlan in the well known case of *House v. Mayes*, 219 U. S. 270, at 282, where he states:

"That the government created by the Federal Constitution is one of enumerated powers, and cannot, by any of its agencies, exercise an authority not granted by that instrument, either in express words or by necessary implication; that a power may be implied when necessary to give effect to a power expressly granted; that while the Constitution of the United States and the laws enacted in pursuance thereof, together with any treaties made under the authority of the United States, constitutes the Supreme Law of the land, a State of the Union may exercise all such governmental authority as is consistent with its own constitution, and not in conflict with the Federal Constitution; that such a power in the State, generally referred to as its police power, is not granted by or derived from the Federal Constitution but exists independent of it, by reason of its never having been surrendered by the State to the General Government; that among the powers of the State, not surrendered — which power therefore remains with the State — is the power to so regulate the relative rights and duties of all within its jurisdiction so as to guard the public morals, the public safety and the public health, as well as to promote the public convenience and the common good; and that it is with the State to devise the means to be employed to such ends, taking care always that the means devised do not go beyond the necessities of the case, have some real or substantial relation to the objects to be accomplished, and are not inconsistent with its own constitution or the Constitution of the United States."

In speaking of the police power, Mr. Justice Holmes, in the case of *Noble State Bank v. Haskell*, 219 U. S. 104, at 111, used the following language:

"It may be said in a general way that the police power extends to all the great public needs. (*Canfield v. United States*, 167 U. S. 518.) It may be put forth in aid of what is sanctioned by usage, or held by the prevailing morality or strong and preponderant opinion to be greatly and immediately necessary to the public welfare."

## CONCERTED MOVEMENTS TO DECEIVE.

It is my judgment also that where, by a combination or concerted movement, a body of men seek to give to a stock an appearance of activity that does not in fact belong to it, for example, by selling backward and forward among themselves blocks of a particular stock, or by selling it out through one broker and at the same time buying it back through another, there is danger that this operation may mislead or deceive outside investors, the practice should be prohibited.

If operations of this character do mislead or deceive, and do induce outside investors to purchase stock under a false impression as to the extent of the demand for it and the nature of the market for it, a statute should be placed on the books forbidding such operations.

So long as transactions are not calculated or intended to mislead or deceive, and do not infringe upon the rights of others, they should not be interfered with; but transactions that are fraudulent in their nature and amount to fraudulent schemes or devices, should be rigorously prohibited.

I urge upon you the prompt enactment of laws to end these shifty schemes, and to forbid these clever combinations to catch the unwary and to mislead the public.

## SHORT SALES.

The subject of so-called "short sales" is one requiring your serious consideration. A contract to sell property which a man does not own at the time, but with which he can provide himself in time for the performance of his contract, is a general transaction throughout the various branches of business, and is not limited or peculiar to stocks or securities sold on exchanges. It is a subject which has been very much discussed by writers on financial topics, and one that has also been the subject-matter of legislation in this and other countries. As with other business transactions, it may be perverted so as to work an injury to the public. The best views seem to be that short-selling in and of itself is not a wrongful or reprehensible thing, but it is the abuse of this practice that works injury to the public.

Your efforts in the enactment of legislation should, therefore, be to draw that distinction so that what will be condemned is the perversion of a legitimate form of business to improper ends. Combinations of men through short-selling to depress a stock arti-

ficially for the purpose of buying it in to complete their short sales at an unwarrantedly low price, and thereby realize a profit which is not the result of natural prices, but of a condition fictitiously created by themselves, is the feature of the matter which is to be condemned.

#### HYPOTHECATION OF SECURITIES.

The relation of a broker to his customer is one that is governed by the general law of the land, and is the same whether transactions on stock exchanges are involved or not. Their respective rights in securities which are bought or sold for the customer, the extent to which securities that have been bought for the customer partly on credit may be pledged by the broker for the security of the amount owing on them, and, generally, the reciprocal rights and obligations of the broker and his principal, are matters which have been much considered by the courts and respecting which rules of law have been and are constantly being formulated.

But it has been the subject of just complaint that in the case of failures customers of the failing brokers have lost in whole or in part securities which had been purchased for them. Such losses result from a violation of the law governing the relations of broker and principal. This entire subject should receive immediate consideration at your hands, and all necessary modification of existing law for the protection of the investing public should be promptly made and all acts productive of such losses which are now merely a matter of civil liability, should be brought under the condemnation of the penal law.

#### TRADING AGAINST CUSTOMERS' ORDERS.

Legislation should be devised which will require of brokers the execution of orders given them so that, whether purchases or sales, they shall be purchases from or sales to independent persons, and so that in no case shall a broker employed to buy for his customer be the seller on his own account, or as broker of some other principal of his own without disclosure of the fact. If there are cases in which, because of the peculiarity of the stock and the dealings in it, a purchase cannot be made excepting through acquiring the stock of another principal of the broker, those exceptional cases should be defined with precision.

It has been charged that there has been a practice on the part of some brokers of selling for their own account the same stocks



that they have been ordered to buy for their customers contemporaneously with the execution of the orders on behalf of their customers. Such transactions, of course, amount to a virtual bucketing by brokers of the orders of their customers. They come within the same principles that lead to the condemnation of bucket shops. They are obviously unjustifiable, and should be stringently forbidden by a clear and explicit statute on the subject.

#### PROHIBITING BROKERS FROM DOING BUSINESS AFTER THEIR KNOWN INSOLVENCY.

One of the most widespread causes of complaint, and one of the most morally reprehensible practices, consists in a broker doing business after he has become actually insolvent, or knows or has reason to believe himself to be insolvent. Cases of great hardship upon the innocent investing public are due chiefly to the fact that the broker has received his customer's money when he knew he was insolvent. Banks are forbidden by law to receive deposits after their known insolvency. Brokers should be subjected to a like restriction.

I, therefore, recommend an amendment to the law, with appropriate penalties for its violation, forbidding a broker to receive securities, or cash, from his customers, excepting in liquidation of, or as security for, an existing account; or to make fresh purchases or sales for his own account, after he has become insolvent. The law should also contain a clear definition of insolvency within the meaning of the act, either analogous to the insolvency provisions of the National Bankruptcy Act, or otherwise clearly defining such insolvency.

#### MORE STRINGENT PENAL PROVISIONS AFFECTING BUCKET SHOPS.

Under the law of New York as it is at present it is necessary to establish that both parties to an ostensible trade in securities intended that it should be settled by the mere payment of differences and not by the actual delivery of property. It follows from this state of the law that the keeper of a bucket shop may escape the penalties now imposed by the law merely by proving that his customer was an innocent victim and not a consenting party to the illegal transaction. I believe the Penal Code should be amended so that it shall be necessary only to show that the bucket shop keeper intended that there should be no actual delivery of property.

### FALSE STATEMENTS.

One of the most widespread of public grievances in connection with the purchase of stocks arises from false or fraudulent prospectuses, statements, or advertisements regarding corporate securities. Under our law as it now exists it is difficult to bring to justice persons who, by means of false and fraudulent statements, advertisements and promises, deceive and wrong the investing public. These deceiving practices have been attacked, under the Federal laws, forbidding the use of the mails for fraudulent purposes.

I recommend amending the law of this State so as to make it a criminal offense to issue any statement, or publish any advertisement, as to the value of any stock, or other security, or as to the financial condition of any corporation, or company, issuing or about to issue stock or securities, where any promise or prediction contained in such statement, or advertisement, is known to be false or to be not fairly justified by existing conditions.

### USURY.

The repealing of the exemption contained in the law of New York regarding interest upon call loans of \$5,000 or over, secured by collateral, has been the subject of much discussion. It has been charged that this exemption in the law regarding the rate of interest had facilitated over-speculation and stock gambling operations.

But whether persons who borrow, or need to borrow, sums of money in amounts over \$5,000, secured by collateral, for the purpose of speculation or otherwise, should be forbidden to pay more than six per cent. interest on their call loans, thus secured, is a serious question which I commend to your careful consideration, and, after all the facts have been presented to you and the subject fully considered, should be dealt with by such remedial legislation as shall be deemed wise and in the best interests of the public welfare.

### RELATIONS BETWEEN EXCHANGES.

Complaint has been made that the restrictions placed by certain exchanges on the right of their members to act for the members of other exchanges, or to belong to such exchanges, result in unfair discrimination and injustice.



The existing rules and practices in this regard should be carefully considered, and if these rules, in fact, or in their actual operation, result in injustice, or in the curtailment of honest business, or in harm to the general investing public, then I recommend such remedial legislation as the facts require.

#### INCORPORATION OF EXCHANGES.

It has been urged that the law be amended so as to require the incorporation of these stock exchanges, to the end that the authority of the State over the transactions upon these exchanges and the acts of their governing bodies may be directly invoked. On the other hand, it has been argued with great cogency that the power of discipline possessed by the governing bodies of these exchanges over the conduct of their members, which can now be exercised in a summary manner, would be curtailed and frustrated by delays and technical obstacles which would greatly impair their just disciplinary powers, and lead to a lowering of their standards of business morality, to the ultimate detriment of the investing public. Whether, if appropriate legislation shall be framed and enacted into law dealing with the specific subjects above enumerated, the public will be adequately protected without the incorporation of these exchanges, is a question which I submit for your serious consideration.

Some of these reasons were clearly stated in the report of the Hughes Committee, but no definite action was taken, and no effective legislation was suggested, the Committee stating substantially:

“This Committee in refraining from advising the incorporation of exchanges does so in the expectation that they will in the future take full advantage of the powers conferred by voluntary organization, and will be active in preventing wrongdoing, such as has occurred in the past. Then we believe there will be no serious criticism of the fact that they are not incorporated.”

The members of these exchanges must realize that many of the customs and rules now controlling them are antiquated and unfitted for present-day purposes, and they should be desirous, in their own interest, of expeditiously adopting corrective measures that, when put into operation, will place the exchanges in

harmony with the progressive spirit of the times. Every stock transaction should be above board. Corporations whose securities are bought and sold on these exchanges should be compelled to make regular audited reports. Publicity should be the watchword. The trouble with the exchanges so far as the investing public is concerned, is lack of confidence. It can only be restored by doing business straight and on the square and in the open.

Let us go slow and not act hastily. Ill-considered legislation in regard to the purchase and sale of stocks and bonds might result in serious harm to the financial supremacy of the State, have a tendency to drive capital away from New York, and might disorganize the large operations of legitimate business now centered in this State, to the detriment of its citizens and the commonwealth generally.

Great care should be taken, therefore, in the consideration and enactment of just laws which, if wisely drawn, will protect the investing public, promote publicity, safeguard the rights of the people, restore confidence, and facilitate our business prosperity, but which, if inconsiderately enacted, may result in a serious disorganization of general business.

WM. SULZER.

which was referred to the committee on the judiciary.

Mr. Speaker presented the Eighteenth Annual Report of the Rome State Custodial Asylum, which was laid upon the table and ordered printed.

(See Assembly Document No. 20.)

Also, the annual report of the New York State Veterinary College at Cornell, which was laid upon the table and ordered printed.

(See Assembly Document No. 21.)

The Senate sent for concurrence the following entitled bill:

“ Concurrent resolution of the Senate and Assembly proposing an amendment to section one of article two of the Constitution, in relation to qualification of voters ” (No. 236, Rec. No. 5), which was read the first time.

On motion of Mr. Levy, and by unanimous consent, said bill was read the second time, and ordered to a third reading.

Debate was had thereon.

On motion of Mr. Levy, and by unanimous consent, said bill was read the third time, having been printed and on the desks of

the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 5

Those who voted in the affirmative were:

Adler	Dox	Heyman	Malone	Small
Allen	Edwards	Hinman	Maloney	Smith J A
Baumes	Eisner	Hopkins	McCue	Smith M
Baxter	Emden	Horton	McCollum	Squire
Benninger	Esquirol	Hover	McDaniels	Sufrin
Bovie	Evans	Hughes	McElligott	Sullivan
Bradley	Fallon	Ingram	McGrath	Sutphin
Brereton	Farrell	Jackson	McKee	Sweet
Brewster	Fitzgerald	Jude	McKeon	Tallett
Bryant	Finnigan	Kane	McMahon	Telford
Burden	Fuller	Kelly J J	Monahan	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Tudor
Butts	Garvey	Kennedy	Pembleton	Van Woert
Campbell	Gathright	Kerrigan	Phillips	Vert
Carroll	Geoghan	Kiernan	Prime	Volk
Carver	Geyer	Knight	Pullman	Walker
Caughlan	Gibbs	Knott	Richardson	Ward
Cole	Gillen	Kornobis	Robinson	Webb
Cotillo	Gillett	Lane	Schaap	Weil
Cronin	Goldberg	Larrimer	Schnirel	Willard
Cuvillier	Grace	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deits	Grimme	Macdonald	Seelye G T	Ulrich
Denney	Hamilton	Machold	Shepardson	Yale
Dorst	Hammer	Madden	Silverstein	Yard
Doty	Hearn	Magee		

Those who voted in the negative were:

Greenberg A	Jones	Patrie	Rozan	Yeomans
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to establishing an aviation corps" (Int. No. 520), which was read the first time and referred to the committee on military affairs.

Mr. MacDonald introduced a bill entitled "An act to amend chapter one hundred and thirty-seven of the Laws of nineteen

hundred and eleven, entitled 'An act to authorize the county of Franklin to construct and maintain a county road system in said county, and to authorize the board of supervisors thereof to issue the bonds of said county in the aggregate amount of five hundred thousand dollars for such county road system,' in relation to funds applicable to the purpose of said act" (Int. No. 521), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Town Law, in relation to the limitation of indebtedness of certain towns" (Int. No. 522), which was read the first time and referred to the committee on general laws.

Also, "An act providing for the erection of a new State armory at Malone, New York, the acquisition of a site for the same, and making an appropriation therefor; and providing for the sale of the old armory site and building, and the application of the proceeds to such new building, and for other purposes relative to the same" (Int. No. 523), which was read the first time and referred to the committee on ways and means.

Mr. Vert introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section six of article one of the Constitution, in relation to the taking of private property for public use" (Int. No. 524), which was read the first time and referred to the committee on the judiciary.

Also, "An act to establish a State school of agriculture in the county of Greene, and making an appropriation therefor" (Int. No. 525), which was read the first time and referred to the committee on ways and means.

Mr. Schaap introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing amendments to section four of article four, sections one and two of article five, section twelve of article eight, section nine of article ten and sections four and six of article eleven of the Constitution, the renumbering of sections five, six, eight and nine of article five as sections three, four, five and six respectively, and the repeal of sections three, four and seven thereof" (Int. No. 526), which was read the first time and referred to the committee on the judiciary.

Mr. Schnirel introduced a bill entitled "An act to amend chapter three hundred and sixty of the Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' generally" (Int. No. 527), which was read the first time and referred to the committee on affairs of cities.

Mr. J. A. Smith introduced a bill entitled "An act to amend the County Law, in relation to expenses of the supervisors of the county of St. Lawrence" (Int. No. 528), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend chapter three hundred and twenty-four of the Laws of nineteen hundred, entitled 'An act to make the office of sheriff of Saint Lawrence county a salaried office, in part, and to regulate the management thereof,' generally" (Int. No. 529), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Code of Civil Procedure, in relation to the compensation of constables, deputy sheriffs and jurors" (Int. No. 530), which was read the first time and referred to the committee on codes.

Also, "An act to amend the County Law, in relation to the duties of county auditors" (Int. No. 531), which was read the first time and referred to the committee on general laws.

Mr. M. Greenberg introduced a bill entitled "An act to amend the General City Law, in relation to officers and employees in cities of the first class" (Int. No. 532), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General City Law, in relation to sanitary conveniences in cities of the first class" (Int. No. 533), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General City Law, in relation to the times and places for keeping drug stores open in cities of the first class" (Int. No. 534), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Penal Law, in relation to prohibiting public service corporations from withholding service for non-payment of disputed accounts" (Int. No. 535), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to increasing the amount of bail of defendants in criminal causes" (Int. No. 536), which was read the first time and referred to the committee on codes.

Also, "An act to amend the General City Law, in relation to powers of cities of the first class to regulate labor and occupations on Sunday" (Int. No. 537), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the County Law, in relation to conferring on attorneys-at-law and members of the Legislature the powers of notary publics" (Int. No. 538), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Greater New York charter, in relation to a board of commutation and providing for appeal therefrom" (Int. No. 539), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to the issuance, form and service of summons in actions in such courts and to clerks' fees" (Int. No. 540), which was read the first time and referred to the committee on codes.

Mr. Maloney introduced a bill entitled "An act to amend the Town Law, in relation to the meetings of town auditors" (Int. No. 541), which was read the first time and referred to the committee on internal affairs.

Mr. T. D. Taylor introduced a bill entitled "An act to provide for the acquisition and preservation of the historic tract or parcel of land known as the Bennington battlefield, situate in the town of Hoosick, in the county of Rensselaer, and making an appropriation therefor" (Int. No. 542), which was read the first time and referred to the committee on ways and means.

Mr. Fallon introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to including the counties of Nassau and Suffolk within the first district and to provide for the payment of salaries and expenses of the commission necessary in the performance of its duties within and for

such counties" (Int. No. 543), which was read the first time and referred to the committee on railroads.

Mr. Cronin introduced a bill entitled "An act to amend the Penal Law, in relation to the sale and carrying of dangerous weapons" (Int. No. 544), which was read the first time and referred to the committee on codes.

Mr. Sweet introduced a bill entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of sewers and sewage disposal plants and other necessary construction incidental thereto and to the issuance of bonds therefor" (Int. No. 545), which was read the first time and referred to the committee on affairs of cities.

Mr. Vert introduced a bill entitled "An act authorizing the town board of the town of Mooers, Clinton county, to convey lands for cemetery purposes" (Int. No. 546), which was read the first time and referred to the committee on internal affairs.

Mr. Tallett introduced a bill entitled "An act to amend the charter of the city of Oneida, in relation to the payment of claims" (Int. No. 547), which was read the first time and referred to the committee on affairs of cities.

Mr. Burden introduced a bill entitled "An act to amend chapter three hundred and sixty of the Laws of nineteen hundred and eleven, entitled 'An act to promote the health and efficiency of patrolmen in the cities of the first and second class,' generally" (Int. No. 548), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Penal Law, in relation to false sales and fictitious values of stocks, bonds, produce and other property" (Int. No. 549), which was read the first time and referred to the committee on codes.

Mr. Goldberg introduced a bill entitled "An act to amend the Transportation Corporation Law, requiring the installation of slot machines by telephone companies in the city of New York" (Int. No. 550), which was read the first time and referred to the committee on electricity, gas and water supply.



Mr. Doty introduced a bill entitled "An act to amend the Highway Law, in relation to the establishment of a new State route" (Int. No. 551), which was read the first time and referred to the committee on internal affairs.

Mr. Vert introduced a bill entitled "An act to amend the Penal Law, in relation to the carrying or having in possession dangerous weapons" (Int. No. 552), which was read the first time and referred to the committee on codes.

Mr. Ingram introduced a bill entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York" (Int. No. 553), which was read the first time and referred to the committee on affairs of cities.

Mr. Small introduced a bill entitled "An act to amend the Tax Law, exempting from taxation property of a municipal corporation not within the corporate limits, but used or maintained for hospital, infirmary or benevolent purposes" (Int. No. 554), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Kennedy introduced a bill entitled "An act to amend the Greater New York charter, in relation to inspection of tenement houses" (Int. No. 555), which was read the first time and referred to the committee on affairs of cities.

Mr. Robinson introduced a bill entitled "An act to amend the Town Law, in relation to town auditors" (Int. No. 556), which was read the first time and referred to the committee on general laws.

Mr. Knight introduced a bill entitled "An act to amend the Town Law, in relation to biennial town meetings and the election and terms of office of town officers" (Int. No. 557), which was read the first time and referred to the committee on general laws.

Mr. Small introduced a bill entitled "An act to provide a recreation pier and casino on Buffalo park property for the people of the city of Buffalo" (Int. No. 558), which was read the first time and referred to the committee on affairs of cities.

Mr. Schnirel introduced a bill entitled "An act to legalize an issue of forty thousand dollars of bonds of the city of Geneva, authorized at a special election in said city held May twenty-



third, nineteen hundred and eleven" (Int. No. 559), which was read the first time and referred to the committee on the judiciary.

Mr. Robinson introduced a bill entitled "An act to amend the Conservation Law, in relation to the open season for water fowl on Long Island" (Int. No. 560), which was read the first time and referred to the committee on conservation.

Mr. Schwarz introduced a bill entitled "An act to authorize the city of Troy to borrow moneys and to issue bonds therefor, for the water works department of said city, and to provide for the payment of said bonds" (Int. No. 561), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend section one hundred and twenty-four of the Second Class Cities Law, relative to contracts for paving" (Int. No. 562), which was read the first time and referred to the committee on affairs of cities.

Mr. Sufrin introduced a bill entitled "An act to amend the General City Law, in relation to night courts of civil jurisdiction for the benefit of wage earners in cities of the first class" (Int. No. 563), which was read the first time and referred to the committee on codes.

Mr. Oxford introduced a bill entitled "An act to regulate the use of street surface railroad tracks upon the Bowery, in the city of New York, borough of Manhattan, for the greater safety of the citizens of such city" (Int. No. 564), which was read the first time and referred to the committee on railroads.

Mr. Weil introduced a bill entitled "An act to amend the Tax Law, in relation to the payment of State Tax" (Int. No. 565), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Allen introduced a bill entitled "An act to amend the Education Law, in relation to the construction and operation of water works and sewer systems by incorporated colleges" (Int. No. 566), which was read the first time and referred to the committee on public education.

Mr. Weil introduced a bill entitled "An act to amend the Highway Law, in relation to the violation of speed regulations for motor vehicles" (Int. No. 567), which was read the first time and referred to the committee on internal affairs.

Mr. Schwarz introduced a bill entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the Troy and West Troy bridge crossing the Hudson river between the counties of Albany and Rensselaer" (Int. No. 568), which was read the first time and referred to the committee on ways and means.

Mr. Volk introduced a bill entitled "An act to provide for a public playground in the borough of Brooklyn, in the city of New York" (Int. No. 569), which was read the first time and referred to the committee on affairs of cities.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 2, Int. No. 2), entitled "An act authorizing the Adjutant-General to confer a suitable bronze medal upon each soldier and sailor of the Spanish-American war who received an honorable discharge, and making an appropriation therefor," reported the same with the following recommendations:

Page 1, after "An act" strike out all of title and insert in lieu thereof: "To provide campaign badges for the officers and enlisted men who served in the army or navy of the United States during the Spanish, Philippine or China campaigns, and making an appropriation therefor."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to legalize the proceedings taken by the village of Pleasantville, Westchester county, New York, for an issue of bonds in the amount of twenty-six thousand dollars, for the purpose of acquiring land for and constructing a hilltop reservoir with pipe line thereto, alteration and extension of mains, improving pumping system and installing water meters in said village." (Printed No. 286, Int. No. 282.) -

"An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to limitation of moneys to be raised for defraying city expenses." (Printed No. 145, Int. No. 142.)

“An act to amend chapter seven of the Laws of nineteen hundred and four, entitled ‘An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,’ in relation to lighting contracts in such village and payments thereon.” (Printed No. 165, Int. No. 162.)

“An act to provide campaign badges for the officers and enlisted men who served in the army or navy of the United States during the Spanish, Philippine or China campaigns, and making an appropriation therefor.” (Printed No. 531, Int. No. 2.)

“An act to legalize any irregularity, omission or error in the making, levying and assessment of the State and county taxes in the county of Rensselaer,” (Printed No. 140, Int. No. 138,)

“An act to authorize and empower the city of New York to acquire a site beyond its territorial limits for use of the New York City Reformatory of Misdemeanants under the jurisdiction of the department of correction of the city of New York. (Printed No. 303, Int. No. 299.)

“An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class.” (Printed No. 109, Int. No. 109.)

“An act authorizing the common council and mayor of the city of Buffalo to lease or grant a right to use to abutting owners on the north side of Sienkiewicz place in said city a strip of land of said street not to exceed six feet in width.” (Printed No. 108, Int. No. 108.)

“An act to amend chapter two hundred and eighty-one of the Laws of nineteen hundred and twelve, entitled ‘An act to authorize the city of Buffalo to issue sinking fund water bonds for the purpose of raising money to pay and retire water bonds for which no sinking fund is provided,’ authorizing the payment and retirement also of outstanding refunding bonds issued heretofore to pay and retire such water bonds, and relating to the rate of interest and place of payment of such sinking fund water bonds.” (Printed No. 149, Int. No. 146.)

“An act to amend the Town Law, in relation to the compensation of town auditors.” (Printed No. 111, Int. No. 111.)

“An act to authorize the village of Peekskill, in Westchester

county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose. (Printed No. 285, Int. No. 281.)

“An act to amend the Second Class Cities Law, in relation to the creation of funded indebtedness.” (Printed No. 135, Int. No. 133.)

“An act to amend chapter one hundred and fifty-seven of the Laws of eighteen hundred and forty-four, entitled ‘An act to incorporate the village of Mohawk,’ in relation to the creation of a board of commissioners for the Weller library in the village of Mohawk, and defining its powers and duties.” (Printed No. 242, Int. No. 239.)

“An act to incorporate the Harriman Research Laboratory,” (Printed No. 48, Int. No. 48.)

“An act to amend the Town Law, in relation to licensing public vehicles and entertainments.” (Printed No. 194, Int. No. 191.)

“An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Antonio M. Caridi, Theodore Palumbo, Frank V. Bruno and Alfred Bertoncini for services rendered to the said city.” (Printed No. 237, Int. No. 234.)

“An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled ‘An act to incorporate the city of Mount Vernon,’ in relation to the public school teachers’ retirement fund of said city and payments therefrom.” (Printed No. 287, Int. No. 283.)

“An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind.” (Printed No. 280, Int. No. 276.)

Mr. Walker offered for the consideration of the house a resolution, in the words following:

Resolved, That the committee on insurance be discharged from the further consideration of the bill (No. 305, Int. No. 301) entitled “An act to amend the Insurance Law, in relation to assuring compensation to workmen injured in the course of their

employment, and repealing certain sections of the Labor Law relating thereto."

Mr. Speaker put the question, whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, Mr. Walker moved to amend as follows:

Page 9, line 2, strike out "sixteen" and insert "eighteen."

Page 11, line 19, strike out the words "twenty-five" and insert "fifty."

Page 11, line 22, strike out "For the first three hundred weeks of" and insert in place thereof, the words "In case of permanent".

Page 11, line 24, after the word "injury," insert "payable during the life of the injured employee."

Page 12, line 2, strike out all of line.

Page 12, line 3, strike out "remainder of the life of the employee, forty" and insert in place thereof, the words: "In case of temporary total disability, fifty".

Page 12, line 4, after the word "injury," insert "payable during the continuance of such temporary disability".

Page 12, line 4, strike out the words "but the compensation".

Page 12, strike out all of lines 5, 6, 7, 8, 9 and 10.

Page 12, line 21, strike out the words "one hundred seventy-five" and insert "two hundred and six".

Page 12, line 23, strike out "two hundred and fifteen" and insert "two hundred and fifty-eight".

Page 12, line 25, strike out "one hundred and fifty" and insert "two hundred and six".

Page 12, line 27, strike out "two hundred and fifteen" and insert "two hundred and fifty-eight".

Page 13, line 2, strike out "one hundred and twenty-five" and insert "one hundred and fifty-four".

Page 13, line 4, after the word "legs", insert "or both eyes".

Page 13, line 23, after the word "section", insert "three hundred eighty-eight".

Page 14, line 10, strike out "twenty-five" and insert "forty".

Page 14, line 13, strike out "twenty-five" and insert "forty".

Page 14, line 15, strike out the word "child" and insert "or two children"; strike out "forty" and insert "fifty".

Page 14, line 17, strike out the word "two" and insert "three or more".

Strike out lines 19, 20, 21, 22, 23 and 24.

Page 14, line 25, strike out figure " 8," insert figure " 5 ".

Page 15, line 2, strike out " twenty " insert " forty ".

Page 15, line 3, strike out figure " 9," insert figure " 6 ".

Page 15, line 6, strike out " fifteen," insert " twenty-five ".

Page 15, line 8, strike out " twenty-five," insert " forty ".

Page 15, line 9, strike out figure " 10 " insert figure " 7 ".

Page 15, line 10, strike out " sixteen " insert " eighteen ".

Page 16, line 1, strike out figure " 11," insert figure " 8 ".

Page 16, line 5, before the word " weeks ", insert " and fifty ".

Page 16, line 6, strike out " eight " and insert " five ".

Page 16, line 14, insert after the word " one hundred " the words " and fifty ".

Page 19, line 25, strike out the word " verified " and insert the word " varied ".

Page 20, line 14, strike out the words " by registered letter ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Walker, said bill was ordered reprinted and recommitted to said committee.

The bill (No. 77, Int. No. 77) entitled "An act to amend the Judiciary Law, in relation to the furnishing of copies of proceedings to parties in civil and criminal actions," having been announced.

Mr. Greenberg moved to amend as follows:

Page 2, line 16, after the word " therefore " insert by adding in italics " which shall be at the rate of one cent per folio, and ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 247, Int. No. 244) entitled "An act to amend the Military Law, in relation to pay of officers serving on boards, commissions and courts," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 138

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hinman	Maloney	Small
Allen	Eisner	Hopkins	McCue	Smith J A
Baumes	Emden	Horton	McCollum	Smith M
Baxter	Esquirol	Hover	McDaniels	Squire
Benninger	Evans	Hughes	McElligott	Sufrin
Bovie	Fallon	Ingram	McGrath	Sullivan
Bradley	Farrell	Jackson	McKee	Sutphin
Brereton	Fitzgerald	Jones	McKeon	Sweet
Brewster	Finnigan	Jude	McMahon	Tallett
Bryant	Fuller	Kane	Monahan	Taylor F J
Burden	Gage	Kelly J J	O'Brien	Taylor T D
Burr	Gallup	Kelly J D	O'Connor	Telford
Bush	Garvey	Kelly P J	Patrie	Tudor
Butts	Gathright	Kennedy	Pembleton	Van Woert
Campbell	Geoghan	Kerrigan	Phillips	Vert
Carroll	Geyer	Kiernan	Prime	Volk
Carver	Gibbs	Knight	Pullman	Walker
Caughlan	Gillen	Knott	Richardson	Ward
Cole	Gillett	Kornobis	Robinson	Webb
Cotillo	Goldberg	Lane	Rozan	Weil
Cronin	Grace	Larrimer	Schaap	Willard
Cuvillier	Greenberg A	Levy	Schnirel	Willmott
Daley	Greenberg M	Lewis	Schwarz	Wood
Deits	Grimme	Macdonald	Seely J L	Ulrich
Denney	Hamilton	Machold	Seelye G T	Yale
Dorst	Hammer	Madden	Shepardson	Yard
Doty	Hearn	Magee	Silverstein	Yeomans
Dox	Heyman	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 177, Int. No. 174) entitled "An act to amend the Military Law, in relation to the bureau of war records," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 82

NOES 39

Those who voted in the affirmative were:

Bovie	Dox	Grimme	Knott	Robinson
Brewster	Eisner	Gurnett	Larrimer	Rozan
Burden	Emden	Hamilton	Levy	Schwarz
Butts	Esquirol	Hearn	Lewis	Seely J L



Carroll	Evans	Hover	Madden	Silverstein
Carver	Fallon	Hughes	Maloney	Small
Caughlan	Fitzgerald	Ingram	McDaniels	Squire
Cole	Finnigan	Jackson	McElligott	Sutphin
Cotillo	Gallup	Kane	McGrath	Taylor F J
Cronin	Garvey	Kelly J J	McKee	Taylor T D
Cuvillier	Gathright	Kelly J D	McKeon	Tudor
Daley	Geoghan	Kelly P J	McMahon	Van Woert
Deitz	Geyer	Kenney	Monahan	Walker
Dennen	Gibbs	Kennedy	O'Brien	Ward
Denney	Goldberg	Kerrigan	Oxford	Weil
Dorst	Greenberg A	Kiernan	Pullman	Ulrich
Doty	Greenberg M			

Those who voted in the negative were:

Adler	Fuller	Knight	Schnirel	Sweet
Allen	Gage	Macdonald	Seelye G T	Tallett
Baumes	Gillett	Machold	Shepardson	Vert
Baxter	Hinman	Magee	Smith J A	Volk
Bradley	Hopkins	Malone	Smith M	Webb
Bryant	Horton	Phillips	Smith T K	Wood
Bush	Jones	Richardson	Sufrin	Yale
Edwards	Jude	Schaap	Sullivan	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Weil offered for the consideration of the House a resolution, in the words following:

Resolved, That the Legislature hereby requests the Public Service Commission in the Second District to make an immediate investigation and examination of the property and affairs of the New York Telephone Company for the purpose of determining the value of its plant and all of its property and resources employed in the State of New York in furnishing telephone service and fixing a valuation thereon as a basis for establishing a flat rate per year to be charged by such company to subscribers to its service within the city of New York for an unlimited number of calls, between points within such city, by any such subscriber or from the telephone or telephones furnished to such subscribers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Adler offered for the consideration of the House a resolution, in the words following:

Resolved, That on or before the first day of March, 1913, the ways and means committee of the Assembly shall prepare and submit to the Assembly a budget to contain a complete and detailed statement of all appropriations to be made out of moneys in the State treasury to be expended for the support and maintenance of the government of the State, and for all other pur-



poses, during the period ending September 30, 1914; such budget to specify the department, board, commission, officer or institution under whose supervision or control the moneys so appropriated are to be expended, and the purposes for which such expenditures are to be made. That there shall be attached to such budget an itemized, detailed estimate of probable revenues of the State during the fiscal year ending September 30, 1914, including the amount which will be required to be raised by direct tax upon taxable property of the State during such year. That the said ways and means committee shall cause the said budget and estimate to be published in full at least once in each newspaper in the State in which the Session Laws are required by law to be printed, within ten days after such budget and estimate is prepared and submitted to the Legislature as above provided; and be it further

Resolved, That on the completion and submission of such budget as above provided, it be prepared in the form of a legislative bill and be printed and referred to the ways and means committee. That on and after the first Wednesday subsequent to March 15, 1913, the ways and means committee shall give public hearings to all persons who desire to be heard in respect to the appropriations proposed to be made by such bill. That the aggregate of the appropriations made by such bill based upon the items contained in such budget shall not be increased by the insertion and addition of new appropriations or by increasing the amount of items already included therein; and be it further

Resolved, That no bill making an appropriation out of moneys in the State treasury shall be placed upon final passage in the Assembly prior to the 15th day of March, 1915, except for a purpose which according to the terms of the bill requires an immediate expenditure of State money to carry it into effect.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Sufrin offered for the consideration of the House a resolution, in the words following:

Whereas, By the treaty of Berlin, Germany, of eighteen hundred and seventy-seven, made by the Greater Powers of Europe after the close of the Russo-Turkish war, the kingdom of Roumania covenanted and agreed, as a condition of obtaining its independence, that all of its natives should have all their full civil and political rights, without discrimination, regardless of creed, race and religion; and

Whereas, Such rights have been repeatedly denied to such of the natives of such kingdom as belong to the Jewish race; and

Whereas, The Secretary of State of the United States, the late Honorable John Hay, by an official note addressed to the Powers of Europe, vigorously protested, in the name of humanity and justice, against the injustice thus wrought to the Jewish citizens of Roumania, who were born in such kingdom, and who, together with their ancestors have constituted an important part of the citizenship of Roumania for many generations, and who bore their share of the public burdens of taxation and service in the army; now, therefore, be it

Resolved, That the Assembly of the State of New York hereby extends to the Jewish citizens of Roumania its sympathy on account of the violation of their inalienable rights, and urges the Roumanian Government to abide by the treaty of Berlin by according full civil and political rights to its natives belonging to the Jewish race.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. M. Greenberg offered for the consideration of the House a resolution, in the words following:

Resolved, That the Speaker of the Assembly appoint a committee of five members of the Assembly to examine into and investigate the business affairs and methods of all casualty, accident, title guaranty and bonding and surety corporations doing business in this State and to ascertain the protection afforded to patrons or customers by their policies of insurance and agreements, and to ascertain whether the forms of policies and agreements used by said corporations are fair to the insured and what evasions or representations of agents, brokers or solicitors occur, if any, in behalf of any such corporation; also ascertain whether there be any promotion of litigation through the contesting of meritorious claims or the refusing of settlements by any such corporation and whether any such corporation be guilty of champerty, and whether any such corporation directly or indirectly practices law by contracting to defend at its own expense claims for damages and to defray the expense of litigation, contrary to public policy; and be it further

Resolved, That such committee shall have power to choose from its membership a chairman and vice-chairman, compel the attendance of witnesses and the production of books and papers; and shall otherwise have all the powers of a legislative committee as provided by the Legislative Law, including the adoption of rules

for the conduct of its proceedings; and such committee may employ such clerical assistants, stenographers, messengers and employees as it may require, together with a secretary, and secure offices for the business of the investigation; and be it further

Resolved, That the committee shall request the Attorney-General to assign an assistant or deputy of his office to attend upon the committee, examine witnesses and act as counsel; or, if the committee so determines, it may employ special counsel for such purposes; and be it further

Resolved, That the State Treasurer on the warrant of the Comptroller pay from the moneys appropriated for the payment of the contingent fund of the Legislature, the expenses of the committee to be appointed under this resolution, not exceeding in amount the sum of five thousand dollars; such expense to be paid on the certificate of the chairman of the committee and the requisition of the Speaker of the Assembly; and be it further

Resolved, That the committee shall make a report to the Legislature during the regular session of the year of nineteen hundred and fourteen, showing the results of its investigation, recommendations as to remedial legislation affecting the subject matter of the investigation and submit such proposed legislative bills in relation thereto as it may deem proper.

which was referred to the committee on ways and means.

Mr. Madden offered for the consideration of the House a resolution, in the words following:

Whereas, The board of trustees of the village of White Plains, N. Y., at a regularly called meeting held Tuesday evening, January 14, 1913, adopted a resolution requesting that the Governor and both branches of the Legislature of the State of New York be petitioned to ascertain by a legislative commission what real and personal property is owned by the Bloomingdale Hospital and Society of New York Hospital of White Plains, N. Y., also the number of patients treated per annum, the charge per week for treatment and board of each patient and what the annual income is of said Bloomingdale Hospital and Society of New York Hospital; therefore, be it

Resolved (if the Senate concur), That a joint legislative committee be hereby created, consisting of two Senators to be designated by the President of the Senate and three members of the Assembly to be designated by the Speaker of the Assembly, to investigate and ascertain what real and personal property is owned by the Bloomingdale Hospital and Society of New York Hospital of White Plains, N. Y., also the number of patients treated per

annum, the charge per week for treatment and board of each patient, and what the annual income is of said Bloomingdale Hospital and Society of New York Hospital. The commission shall also make a report on the liability of taxation and assessment on the above mentioned Bloomingdale Hospital and Society of New York Hospital. The commission shall have power to elect its chairman and vice-chairman, to compel the attendance of witnesses and the production of books and papers; to employ a secretary, stenographer and necessary clerical assistance; and shall otherwise have all the powers of a legislative committee as provided by the Legislative Law, including the adoption of rules for the conduct of its proceeding. Said committee shall make a report to the Legislature on or before the first day of February, 1914, expressing the opinion of the commission, in respect to such legislation as shall be deemed necessary to cover any evasion of taxation or assessment of the said Bloomingdale Hospital and Society of New York Hospital of White Plains, N. Y.

Resolved (if the Senate concur), That the actual necessary expenses of the committee in carrying out the provisions of this resolution not to exceed the sum of five thousand (\$5,000) dollars, be paid from the funds appropriated for the contingent expenses of the Legislature, upon the certificate of the chairman and vice-chairman of the committee.

which was referred to the committee on ways and means.

Mr. Fallon offered for the consideration of the House a resolution, in the words following:

Whereas, Congress authorized a survey and estimate of cost to improve waterways along the south side of Long Island, from Jamaica bay on the west to Peconic bay on the east, which proposition included cutting a canal through the Rockaway peninsula between Jamaica bay and the Great South bay, and which survey, with estimate of cost, made under the direction of Col. S. W. Roessler of the U. S. Engineers Corps, Army building, Whitehall street, New York, is now nearly completed; and

Whereas, The said waterway improvement on the south side of Long Island would be practically a continuation of the canal system of New York State, through the proposed canal from Flushing bay to Jamaica bay (Barge canal terminal) and would enable traffic from the State canals and rivers to pass through the south side of Long Island, and thereby afford a safe route for canal boats, barges, etc., into Peconic bay and Long Island sound; therefore,

Resolved, That the Legislature of the State of New York fully approves of and endorses this project, recommending a favor-

able report from the engineer having the matter in charge, and an appropriation from the federal government to carry the project into effect.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Schaap offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a committee of five be appointed, consisting of two Senators, to be appointed by the President of the Senate, and three members of the Assembly, to be appointed by the Speaker of the Assembly, to investigate and report to the Legislature upon the conditions of labor in the industries severally known and designated as the white goods, wrapper and kimona industries, with special regard to wages, earnings, hours and conditions of work, and the practice of contracting and sub-contracting; that such committee shall elect its own chairman, shall have power to compel the attendance of witnesses and the production of books and papers, to employ counsel and assistants, and otherwise have all the powers of a legislative committee; that the expense of such committee, not exceeding five thousand dollars, shall be paid from the contingent fund of the Legislature upon the order of the chairman thereof.

which was referred to the committee on ways and means.

By unanimous consent, Mr. Hinman offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of his resolution proposing an amendment to the rules of the Assembly introduced January 13th.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said motion to amend having been announced, Mr. Schaap moved to amend said amendment as follows:

By adding after the words "No private or local bill shall be introduced after the first day of March", the words: "and no city or general bill shall be introduced at any time after the first of the last eighteen legislative days of the session."

Debate was had upon said motion.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Schaap, and it was determined in the negative.

Debate was had upon the motion of Mr. Hinman.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Hinman called up his resolution in relation to extending the scope of the Executive investigation, consideration of which was set down for this date.

Debate was had thereon, when Mr. Levy moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. Hinman, and it was determined in the negative.

Mr. Adler gives notice that on Monday night, February 3d, he will call up his resolution relating to the preparation by the ways and means committee of a budget of appropriations for the ensuing year.

On motion of Mr. Levy, the House adjourned.

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## TUESDAY, JANUARY 28, 1913.

The House met pursuant to adjournment.

Prayer by Rev. James G. Carlisle, Troy, N. Y.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Cuvillier introduced a bill entitled "An act to amend chapter ten of the Laws of nineteen hundred and nine and the acts amendatory thereto, known as the Banking Law, creating a new article known as article nine-a of the Banking Law, relative to the incorporation of stock exchanges, their supervision by the Banking Department, the licensing of stock brokers, and the law regulating the buying and selling of stocks and bonds" (Int. No. 570), which was read the first time and referred to the committee on banks.

Also, "An act to repeal section three hundred and seventy-nine of the General Law, in relation to interest on advanced collateral

securities" (Int. No. 571), which was read the first time and referred to the committee on general laws.

Mr. Gillett introduced a bill entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Keuka College, in Keuka Park in the county of Yates, and conferring certain powers on Keuka College in relation thereto, and making an appropriation therefor" (Int. No. 572), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the General Business Law, in relation to establishing the standard of four pound grape basket" (Int. No. 573), which was read the first time and referred to the committee on general laws.

Mr. Goldberg introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to stage-coach routes" (Int. No. 574), which was read the first time and referred to the committee on railroads.

Mr. Kerrigan introduced a bill entitled "An act to amend the Greater New York charter, in relation to the duties and powers of the department of taxes and assessments" (Int. No. 575), which was read the first time and referred to the committee on affairs of cities.

Mr. Monahan introduced a bill entitled "An act to amend the Greater New York charter, in relation to the payment of compensation of employees in the street cleaning department of such city" (Int. No. 577), which was read the first time and referred to the committee on affairs of cities.

Mr. McMahon introduced a bill entitled "An act to erect the county of Bronx from the territory now comprised within the limits of the borough of the Bronx, in the city of New York, as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, and all acts amendatory thereof and supplemental thereto" (Int. No. 576), which was read the first time and referred to the committee on the judiciary.

Mr. McGrath introduced a bill entitled "An act to amend section one hundred and eighty-six of chapter eighty-eight of the Laws of nineteen hundred and nine, entitled 'An act providing for the punishment of crime, constituting chapter forty of the Consoli-



dated Laws,' in relation to abandonment of disabled animals." (Int. No. 578), which was read the first time and referred to the committee on codes.

Mr. Rozan introduced a bill entitled "An act to amend the Public Lands Law by adding thereto a new section to be numbered section twenty-three, for the regulation of the taking of sand from the lands of the State under the waters of Niagara river" (Int. No. 579), which was read the first time and referred to the committee on general laws.

Mr. Sutphin introduced a bill entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to the hearing of claims for exemption within the county of Queens" (Int. No. 580), which was read the first time and referred to the committee on the judiciary.

Mr. Knight introduced a bill entitled "An act to amend the General Municipal Law, relative to the reporting and examination of municipal accounts" (Int. No. 581), which was read the first time and referred to the committee on general laws.

Mr. Dennen introduced a bill entitled "An act to amend the Greater New York charter, in relation to compensation of certain members of the uniformed force of the department of street cleaning" (Int. No. 582), which was read the first time and referred to the committee on affairs of cities.

Mr. Brewster introduced a bill entitled "An act to amend the Lien Law, in relation to liens by jewelers and silversmiths upon personal property" (Int. No. 583), which was read the first time and referred to the committee on general laws.

Mr. Yard introduced a bill entitled "An act to amend the Highway Law, in relation to the laying of railroad tracks upon the Albany Post road, within the county of Westchester" (Int. No. 584), which was read the first time and referred to the committee on internal affairs.

Mr. Sullivan introduced a bill entitled "An act to amend the Conservation Law, in relation to taking skunk in Chautauqua county" (Int. No. 585), which was read the first time and referred to the committee on conservation.

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Mr. Machold introduced a bill entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds" (Int. No. 586), which was read the first time and referred to the committee on the judiciary.

Mr. Sullivan introduced a bill entitled "An act to amend the Conservation Law, in relation to the taking of quail in Chautauqua county" (Int. No. 587), which was read the first time and referred to the committee on conservation.

Mr. Ulrich introduced a bill entitled "An act to repeal article eight-a of the General Business Law, relating to certified shorthand reporters" (Int. No. 588), which was read the first time and referred to the committee on general laws.

Mr. Benninger introduced a bill entitled "An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a lifesaving station" (Int. No. 589), which was read the first time and referred to the committee on ways and means.

Mr. Gibbs introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to admission to bail" (Int. No. 590), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Inferior Courts Act of the City of New York, in relation to examination of children to determine their mental and physical condition" (Int. No. 591), which was read the first time and referred to the committee on codes.

The bill (No. 424, Int. No. 41) entitled "An act to amend the Public Health Law, in relation to the practice of midwifery," having been announced, debate was had thereon.

On motion of Mr. T. K. Smith, said bill was recommitted to the committee on public health, retaining its place on the order of second reading.

The bill (No. 425, Int. No. 105) entitled "An act to amend the Town Law, in relation to the compensation of town officers," was read the second time.

On motion of Mr. Pullman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 287, Int. No. 283) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hun-

dred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the public school teachers' retirement fund of said city and payments therefrom," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pemberton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larriener	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 145, Int. No. 142) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to limitation of moneys to be raised for defraying city expenses," was read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 194, Int. No. 191) entitled "An act to amend the Town Labor Law, in relation to licensing public vehicles and entertainments," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 109, Int. No. 109) entitled "An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan

Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 303, Int. No. 299) entitled "An act to authorize and empower the city of New York to acquire a site beyond its territorial limits for use of The New York City Reformatory of Misdemeanants under the jurisdiction of the department of correction of the city of New York," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford

Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Mazee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 135, Int. No. 133) entitled "An act to amend the Second Class Cities Law, in relation to the creation of funded indebtedness," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard

Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 48, Int. No. 48) entitled "An act to incorporate the Harriman Research Laboratory," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 280, Int. No. 276) entitled "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J A	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 237, Int. No. 234) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Antonio M. Caridi, Theodore Palumbo, Frank V. Bruno and Alfred Bertoncini for services rendered to the said city," was read the third time, having been printed and upon the desks of the



members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 242, Int. No. 239) entitled "An act to amend chapter one hundred and fifty-seven of the Laws of eighteen hundred and forty-four, entitled 'An act to incorporate the village of Mohawk,' in relation to the creation of a board of commissioners for the Weller library in the village of Mohawk, and defining its powers and duties," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 108, Int. No. 108) entitled "An act authorizing the common council and mayor of the city of Buffalo to lease or grant a right to use to abutting owners on the north side of Sienkiewicz place in said city a strip of land of said street not to exceed six feet in width," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 149, Int. No. 146) entitled "An act to amend chapter two hundred and eighty-one of the Laws of nineteen hundred and twelve, entitled 'An act to authorize the city of Buffalo to issue sinking fund water bonds for the purpose of raising money to pay and retire water bonds for which no sinking fund is provided,' authorizing the payment and retirement also of outstanding refunding bonds issued heretofore to pay and retire such water bonds, and relating to the rate of interest and place of payment of such sinking fund water bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 165, Int. No. 162) entitled "An act to amend chapter seven of the Laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to lighting contracts in such village and payments thereon," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cu villier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 140, Int. No. 138) entitled "An act to legalize any irregularity, omission or error in the making, levying and assessment of State and county taxes in the county of Rensselaer," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin

Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Macold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 111, Int. No. 111) entitled "An act to amend the Town Law, in relation to the compensation of town auditors," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk

Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Uhler
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 285, Int. No. 281) entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening and to issue bonds for said purpose," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott

Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich
Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 286, Int. No. 282) entitled "An act to legalize the proceedings taken by the village of Pleasantville, Westchester county, New York, for an issue of bonds in the amount of twenty-six thousand dollars, for the purpose of acquiring land for and constructing a hilltop reservoir with pipe line thereto, alteration and extension of mains, improving pumping system and installing water meters in said village," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hinman	Maloney	Smith M
Allen	Edwards	Hopkins	McCollum	Smith T K
Baumes	Eisner	Horton	McDaniels	Squire
Baxter	Emden	Hover	McElligott	Sufrin
Benninger	Esquirol	Hughes	McKee	Sullivan
Bovie	Evans	Ingram	McKeon	Sutphin
Bradley	Fallon	Jackson	McMahon	Sweet
Brereton	Farrell	Jones	Monahan	Tallett
Brewster	Fitzgerald	Jude	O'Brien	Taylor F J
Bryant	Fuller	Kane	O'Connor	Taylor T D
Burden	Gage	Kelly J J	Pappert	Telford
Burr	Gallup	Kelly J D	Patrie	Tudor
Bush	Garvey	Kelly P J	Pembleton	Van Woert
Butts	Gathright	Kennedy	Phillips	Vert
Campbell	Geoghan	Kerrigan	Pullman	Volk
Carroll	Geyer	Kiernan	Richardson	Walker
Carver	Gibbs	Knight	Robinson	Ward
Caughlan	Gillett	Knott	Rozan	Webb
Cole	Goldberg	Kornobis	Schaap	Weil
Cronin	Grace	Larrimer	Schnirel	Willard
Cuvillier	Greenberg A	Levy	Schwarz	Willmott
Daley	Greenberg M	Lewis	Seely J L	Wood
Deitz	Grimme	Macdonald	Seelye G T	Ulrich



Dennen	Gurnett	Machold	Shepardson	Yale
Donohue	Hamilton	Madden	Silverstein	Yard
Dorst	Hammer	Magee	Smith J A	Yeomans
Doty	Hearn	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Privileges of the floor were extended to Hon. John H. Bradley of Erie.

On motion of Mr. Levy, the House adjourned.

### WEDNESDAY, JANUARY 29, 1913.

The House met pursuant to adjournment.

Prayer by Rev. C. V. Kling, Waterford.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Children's Village of the New York Juvenile Asylum, which was laid upon the table and ordered printed.

(See Senate Document No. 27.)

The Senate sent for concurrence the following entitled bill:

"An act to amend the Town Law, in relation to the compensation of town auditors" (No. 90, Rec. No. 6), which was read the first time and referred to the committee on internal affairs.

Mr. Carroll introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to service of answer in an action" (Int. No. 592), which was read the first time and referred to the committee on codes.

Mr. Caughlin introduced a bill entitled "An act to amend the Greater New York charter, in relation to plans for water fronts" (Int. No. 593), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act to prohibit the maintaining of a bucket shop, office, store or other place

wherein is conducted or permitted the pretended buying or selling of the shares of stock or bonds of any corporation, or petroleum, cotton, grain, provisions or other produce, either on margins or otherwise, without any intention of receiving or paying for the property so bought, or of delivering of the property so sold, and defining a bucket shop" (Int. No. 594), which was read the first time and referred to the committee on codes.

Mr. Eisner introduced a bill entitled "An act to amend the Penal Law, in relation to punishment for murder in the first degree" (Int. No. 595), which was read the first time and referred to the committee on codes.

Mr. Esquirol introduced a bill entitled "An act to amend the Insurance Law, in relation to assuring compensation to workmen injured in the course of their employment" (Int. No. 596), which was read the first time and referred to the committee on insurance.

Mr. Heyman introduced a bill entitled "An act to amend the Railroad Law, in relation to compelling persons or corporations owning or operating elevated or subway railroads in the borough of Kings to maintain toilets at all stations" (Int. No. 597), which was read the first time and referred to the committee on railroads.

Mr. Horton introduced a bill entitled "An act to amend chapter two hundred and eighty-nine of the Laws of nineteen hundred and eleven, entitled 'An act to extend the corporate existence of the Enterprise Land Company; and to validate its conveyance of real estate and the election of its trustees,' in relation to extending the corporate existence of the Enterprise Land Company for certain purposes" (Int. No. 598), which was read the first time and referred to the committee on the judiciary.

Mr. Jackson introduced a bill entitled "An act to amend the General Business Law, in relation to weights, measures and containers" (Int. No. 599), which was read the first time and referred to the committee on general laws.

Mr. Kane introduced a bill entitled "An act to amend the Lien Law, in relation to subordinating incumbrances on new buildings in course of construction to liens filed pursuant thereto" (Int. No. 600), which was read the first time and referred to the committee on general laws.

Mr. McCue introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to the definition of 'convicted and conviction,' by striking out said definition" (Int. No. 601), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Liquor Tax Law, in relation to the issuance of certificates under the provisions of subdivision two of section eight, limitation of such certificates and transfers thereof under abandonment notices" (Int. No. 602), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Greater New York charter, in relation to assistant fire marshals" (Int. No. 603), which was read the first time and referred to the committee on affairs of cities.

Mr. O'Connor introduced a bill entitled "An act to amend the Judiciary Law, in relation to stenographers" (Int. No. 604), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Tax Law, in relation to providing for a tax on the sale or transfer of goods, wares or merchandise when such sale or transfer is accompanied by the delivery to the purchaser of any trading stamp, cash discount stamp, ticket, coupon, or other similar device" (Int. No. 605), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Code of Criminal Procedure, in relation to return of depositions" (Int. No. 606), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Greater New York charter, in relation to uniforms to be worn by sweepers of the street cleaning department" (Int. No. 607), which was read the first time and referred to the committee on affairs of cities.

Mr. McMahon introduced a bill entitled "An act to prescribe rates to be charged by telephone and telegraph companies for their service in certain parts of the city of New York" (Int. No. 608), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. O'Brien introduced a bill entitled "An act to amend the Town Law in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages" (Int.

No. 609), which was read the first time and referred to the committee on the judiciary.

Mr. Richardson introduced a bill entitled "An act to amend the Banking Law, in relation to cumulative voting of stockholders at elections of bank directors" (Int. No. 610), which was read the first time and referred to the committee on banks.

Mr. Robinson introduced a bill entitled "An act to amend the Town Law, in relation to the qualification of voters" (Int. No. 611), which was read the first time and referred to the committee on the judiciary.

Mr. Walker introduced a bill entitled "An act to amend the Education Law, in relation to requiring instruction in the dangers and chemistry of fire and combustibles" (Int. No. 612), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Insurance Law in relation to forms of policies or certificates of casualty insurance corporations upon the co-operative or assessment plan" (Int. No. 613), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, so as to make mandatory the insertion in policies of life insurance of a clause permitting the insurer at its option to defer the granting of any loan or the payment of any surrender value thereon for a period not less than sixty days nor more than six months" (Int. No. 614), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to survival of indemnity, reinsurance and coinsurance in receiver and Superintendent of Insurance upon dissolution of insurance corporations" (Int. No. 615), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted" (Int. No. 616), which was read the first time and referred to the committee on excise.

Mr. Ward introduced a bill entitled "An act to incorporate The Eastern Association School" (Int. No. 617), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend section seventeen of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' as amended by chapter six hundred and three of the Laws of nineteen hundred and seven, in relation to hour for opening of court" (Int. No. 618), which was read the first time and referred to the committee on codes.

Mr. Brereton introduced a bill entitled "An act to amend the Conservation Law, in relation to fishing through the ice in Lake George" (Int. No. 619), which was read the first time and referred to the committee on conservation.

Mr. Benninger introduced a bill entitled "An act to amend the Membership Corporations Law, in relation to cemetery corporations" (Int. No. 620), which was read the first time and referred to the committee on general laws.

Mr. Cuvillier introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to advance charges by telephone companies" (Int. No. 621), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Daley introduced a bill entitled "An act to amend the Election Law, in relation to the appointment of election officers in cities" (Int. No. 622), which was read the first time and referred to the committee on the judiciary.

Mr. Cuvillier introduced a bill entitled "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary conditions or property of any corporation, joint stock association, copartnership or individual, which said statements or publications are intended to give, or shall have a tendency to give, a less or greater apparent value to the shares, bonds or property, or part thereof, of said corporation, joint stock association, copartnership or individual, than the said shares, bonds or property shall really and in fact possess, and providing a penalty therefor" (Int. No. 623), which was read the first time and referred to the committee on codes.

Mr. A. Greenberg introduced a bill entitled "An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission, and making

an additional appropriation therefor " (Int. No. 624), which was read the first time and referred to the committee on ways and means.

Mr. Hamilton introduced a bill entitled "An act in relation to the refunding of the indebtedness incurred in the acquirement, construction and maintenance of Prospect park and additions thereto by the city of Brooklyn " (Int. No. 625), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Real Property Law, in relation to creation and division of estates " (Int. No. 626), which was read the first time and referred to the committee on general laws.

Mr. G. T. Seelye introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to security for costs in justice's court " (Int. No. 627), which was read the first time and referred to the committee on codes.

Also, "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the alleged claim of Henry McGurk against the State of New York, and to render a determination therefor " (Int. No. 628), which was read the first time and referred to the committee on claims.

Mr. Sufrin introduced a bill entitled "An act to amend the Greater New York charter, in relation to pushcart peddlers and markets for such peddlers " (Int. No. 629), which was read the first time and referred to the committee on affairs of cities.

Mr. Schwarz introduced a bill entitled "An act to amend the Highway Law by adding a new section to be known as section one hundred and forty-two-a, in relation to the cost of improvement of such highways between the rails and tracks and outside thereof, of street surface railroads in villages and in cities of the second and third classes " (Int. No. 630), which was read the first time and referred to the committee on internal affairs.

Mr. Weil introduced a bill entitled "An act to amend the Penal Law, in relation to rate to be charged for telephone service in hotels " (Int. No. 631), which was read the first time and referred to the committee on codes.

Mr. Heyman introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to the jurisdiction of violations thereof

in the city of New York " (Int. No. 632), which was read the first time and referred to the committee on excise.

Mr. McElligott introduced a bill entitled "An act to amend the Insanity Law, relative to the retirement of officers of State hospitals for the insane " (Int. No. 633), which was read the first time and referred to the committee on general laws.

Mr. Esquirol introduced a bill entitled "An act to amend the Insurance Law, in relation to title and credit guaranty corporations " (Int. No. 634), which was read the first time and referred to the committee on insurance.

Mr. Van Woert introduced a bill entitled "An act to provide for the construction of a bridge over the Black river and Moose river at Lyons Falls, in the county of Lewis, and making appropriations and reappropriations therefor " (Int. No. 635), which was read the first time and referred to the committee on ways and means.

Mr. Larrimer introduced a bill entitled "An act to repeal section seventy-five of the Banking Law and section three hundred and seventy-nine of the General Business Law, relating to the interest permitted on advances on collateral securities " (Int. No. 636), which was read the first time and referred to the committee on banks.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Goldberg (No. 384, Int. No. 381), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county."

Also, Assembly bill introduced by Mr. Levy (No. 513, Int. No. 502), entitled "An act to incorporate the Ministers and Missionaries Benefit Board of the Northern Baptist Convention."

Also, Assembly bill introduced by Mr. Jackson (No. 81, Int. No. 81), entitled "Concurrent resolution of the Senate and Assembly proposing amendments to article eight, section ten of the Constitution, excepting from the provisions of said section fixing a limitation of indebtedness of counties, cities, towns and villages, debts incurred by cities of the first class after the first day of January, nineteen hundred and four, to provide for the supply of water," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.



Mr. Goldberg, from the committee on judiciary, to which was referred Assembly bill (No. 272, Int. No. 268) introduced by Mr. Levy, entitled "An act to amend section two of the State Law, in relation to boundary lines between the State of New York and the State of Connecticut," reported in favor of the passage of the same, with the following amendment:

On page 6, line 11, after figure 35, omit degree ° mark and insert second " mark.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Maloney (No. 114, Int. No. 114), entitled "An act to amend the Membership Corporation Law, to prohibit the formation of cemetery corporations to operate in the county of Nassau, and to prohibit the acquiring, setting apart or using of land for cemetery purposes in said county except for family cemeteries," reported the same with the following amendment:

Page 2, line 9, after the word "held" insert in italics "to prohibit the acquisition or use by a cemetery corporation, whether now existing or hereafter created, of not exceeding thirty-six acres of land adjoining the Greenfield cemetery on the west in the town of Hempstead, nor".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Walker (No. 29, Int. No. 29), entitled "An act to amend the Civil Service Law, in relation to the qualifications of persons appointed or employed in the civil service," reported the same with the following amendments:

Page 2, line 1, after the word "State" insert period.

Page 2, line 1, strike out the words "or of such civil".

Page 2, line 2, strike out "division or city, as the case may be".

Page 2, line 4, after the word "services" insert a comma.



Page 2, line 4, after the word "services" strike out "from the State or from such civil divisions".

Page 2, line 5, strike out "or city, as more fully appears by corrected copy hereto attached."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Walker (No. 487, Int. No. 482), entitled "An act to amend the Greater New York charter, in relation to vacations of employees."

Also, Assembly bill introduced by Mr. Tallett (No. 240, Int. No. 237), entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling."

Also, Assembly bill introduced by Mr. McKee (No. 451, Int. No. 446), entitled "An act to amend the Greater New York charter, in relation to the disposition of the proceeds of certain personal property sold by the board of education."

Also, Assembly bill introduced by Mr. Weil (No. 464, Int. No. 459), entitled "An act to amend the Greater New York charter, in relation to the transfer of moneys from the general fund of the city to appropriate accounts for the purpose of adjusting deductions made under the provisions of the Tax Law referring to taxes upon special franchises."

Also, Assembly bill introduced by Mr. Hammer (No. 463, Int. No. 458), entitled "An act to amend the Greater New York charter, in relation to the transfer and utilization of cash balances in corporate stock funds."

Also, Assembly bill introduced by Mr. McKee (No. 387, Int. No. 384), entitled "An act to amend the Greater New York charter, in relation to the power of the city superintendent of schools to enforce the Compulsory Education Law."

Also, Assembly bill, introduced by Mr. Butts (No. 255, Int. No. 251), entitled "An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled 'An act to incorporate the city of Oneonta,' generally."

Also, Assembly bill introduced by Mr. McKee (No. 389, Int. No. 386), entitled "An act to amend the Greater New York charter, in relation to a nautical school."

Also, Assembly bill introduced by Mr. Butts (No. 254, Int. No. 250), entitled "An act to permit the common council of the city of Oneonta to vote extra compensation to the chamberlain, commissioner of charities and assessors, of such city for the year nineteen hundred and thirteen."

Also, Assembly bill introduced by Mr. Kennedy (No. 445, Int. No. 440), entitled "An act to amend the Greater New York charter, in relation to the cancellation of certain assessments for public improvements levied against property belonging to the city."

Also, Assembly bill introduced by Mr. T. K. Smith (No. 483, Int. No. 478), entitled "An act to supplement the provisions of law relating to the department of public works of the city of Syracuse," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 354, Int. No. 350) introduced by Mr. Hover, entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue bonds of the city therefor," reported in favor of the passage of the same, with the following amendment:

Page 1, line 7, after the word "exceed" strike out "four and one-half per centum" and insert "the legal rate of interest".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Ramsperger (No. 99, Rec. No. 3), entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended

by chapter three hundred and forty-five of the Laws of eighteen hundred and ninety-three, and by chapter five hundred and eighty-six of the Laws of eighteen hundred and ninety-nine, authorizing said city to borrow money by the sale and issue of its bonds for the acquisition of lands and the construction, equipment and furnishing of buildings for school purposes," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Dorst (No. 377, Int. No. 373), entitled "An act to repeal chapter five hundred and sixty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the town board and the superintendent of highways of the town of Wales, in the county of Erie, to cancel the assessment for the improvement of the Big Tree road in said town of Wales, and to refund all moneys heretofore paid upon said rolls.'"

Also, Assembly bill introduced by Mr. Yeomans (No. 461, Int. No. 456), entitled "An act to amend chapter six hundred and sixty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act to make the office of county clerk of Wayne county a salaried office, and regulating the fees and management of said office,' in relation to compensation of the county clerk of such county."

Also, Assembly bill introduced by Mr. Fuller (No. 465, Int. No. 460), entitled "An act to amend the Town Law, in relation to the appointment of special constables," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Butts, from the committee on the affairs of villages, to which was referred Assembly bill introduced by Mr. Evans (No. 341, Int. No. 337), entitled "An act to legalize, ratify and confirm the proceedings had and taken by the village of Liberty in the county of Sullivan, its trustees, officers, servants and electors, in the matter of the issuance of the bonds and obligations of said village for the improvement of Main street in said village in conjunction with the construction of State highway route number

four through said village, and to provide for the issuance, sale and payment of such bonds and obligations."

Also, Assembly bill introduced by Mr. Daley (No. 432, Int. No. 427), entitled "An act to amend the Village Law, in relation to contracts for indemnity insurance against damages for injuries to persons."

Also, Assembly bill introduced by Mr. O'Brien (No. 500, Int. No. 495), entitled "An act to amend chapter one hundred and forty-eight of the Laws of nineteen hundred and five, entitled 'An act to authorize the board of trustees of the village of White Plains to acquire lands for the site of a public library and to maintain a public library, and issue bonds therefor,' in relation to the amount to be raised by taxation and expended, annually, for maintaining said library."

Also, Assembly bill introduced by Mr. Gallup (No. 188, Int. No. 185), entitled "An act to legalize bonds of the village of Brockport, Monroe county, New York, not exceeding two hundred and seventy-five thousand dollars in amount, for the purpose of establishing a system of water works and procuring the necessary water for fire protection and domestic purposes in and for said village, and to provide for the payment of the principal and interest of said bonds," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Butts, from the committee on the affairs of villages, to which was referred Assembly bill (No. 123, Int. No. 123) introduced by Mr. Hughes, entitled "An act to amend the Village Law, in relation to boards of commissioners," reported in favor of the passage of the same, with the following amendment:

Beginning with the word "and" in line 12 on page 3, striking out the remainder of the line and all of line 13, and substituting a period for the comma following the word "department".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McDaniels, from the committee on public health, to which was referred Assembly bill introduced by Mr. Bush (No. 302, Int. No. 298), entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study," reported

in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Pullman (No. 425, Int. No. 105), entitled "An act to amend the Town Law, in relation to the compensation of town officers," reported the same with the following recommendations:

Page 2, line 9, in "towns" strike out "s".

Line 14, after "except" insert "that".

Lines 24 and 25, after "compensation" strike out italicized words and insert in roman.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Caughlan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Assembly bill (No. 460, Int. No. 455) entitled "An act to amend the Code of Criminal Procedure, in relation to compensation of attorneys in cities of the first class," and that said bill be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Yard offered for the consideration of the House a resolution, in the words following:

Resolved, That a respectful message be sent to the Senate requesting the return to the Assembly, of Assembly bill (No. 286, Int. No. 282) entitled "An act to legalize the proceedings taken by the village of Pleasantville, Westchester county, New York, for an issue of bonds in the amount of twenty-six thousand dollars, for the purpose of acquiring land for and constructing a hill-top reservoir with pipe line thereto, alteration and extension of mains, improving pumping system and installing water meters in said village," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 54, Int. No. 132) entitled "An act to amend the Military Law, in relation to the Adjutant-General of the State," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Levy, the House adjourned.

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### THURSDAY, JANUARY 30, 1913.

The House met pursuant to adjournment.

Prayer by Rev. F. G. Coffin.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the notice of contest of Maxim Birnkrant against Meyer Greenberg declared elected member of Assembly from the Tenth Assembly District by the board of county canvassers of the county of New York, which was referred to the committee on privileges and elections.

Mr. Allen introduced a bill entitled "An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government of the territory so annexed" (Int. No. 637), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter three hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to provide a park board in and for the city of Utica,' relative to the powers of said board" (Int. No. 638), which was read the first time and referred to the committee on affairs of cities.

Mr. Benninger introduced a bill entitled "An act to amend the Real Property Law, in relation to taxation and assessment of lands used for cemetery purposes" (Int. No. 639), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Bush introduced a bill entitled "An act authorizing the acquisition by the United States of lands in the borough of

Queens, city of New York, as a site for a life saving station ' (Int. No. 640), which was read the first time and referred to the committee on ways and means.

Also, " An act to amend the Prison Law, in relation to the compensation of certain officers and employees in State prisons " (Int. No. 641), which was read the first time and referred to the committee on ways and means.

Mr. Doty introduced a bill entitled "An act to amend the Conservation Law, in relation to badges and apparel to be worn by hunters " (Int. No. 642), which was read the first time and referred to the committee on conservation.

Mr. Fitzgerald introduced a bill entitled "An act to amend the Penal Law, in relation to barbering on Sunday " (Int. No. 643), which was read the first time and referred to the committee on codes.

Mr. Heyman introduced a bill entitled "An act to amend the Banking Law, in relation to loans on mortgage by foreign banking corporations " (Int. No. 644), which was read the first time and referred to the committee on banks.

Mr. Norton introduced a bill entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of sheriff of Washington county a salaried office, and regulating the management of said office " (Int. No. 645), which was read the first time and referred to the committee on internal affairs.

Mr. Horton introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to requiring telephone corporations to connect exchanges and the power of the Commission to fix charges for service " (Int. No. 646), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Hover introduced a bill entitled "An act to amend the General Business Law, in relation to standard barrels for pears and quinces " (Int. No. 647), which was read the first time and referred to the committee on general laws.

Mr. J. D. Kelly introduced a bill entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals,



orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by a church or religious body and devoted to social settlement work" (Int. No. 648), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Carroll introduced a bill entitled "An act to amend the Highway Law, in relation to the licensing of chauffeurs" (Int. No. 649), which was read the first time and referred to the committee on internal affairs.

Mr. McElligott introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to service of summons without the State" (Int. No. 650), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the appointment of guardians for infant defendants" (Int. No. 651), which was read the first time and referred to the committee on codes.

Mr. Patrie introduced a bill entitled "An act to amend the Highway Law, in relation to a new highway route to be improved by the State" (Int. No. 652), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Highway Law, in relation to a new highway route to be improved by the State" (Int. No. 653), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Highway Law, in relation to a new highway route to be improved by the State" (Int. No. 654), which was read the first time and referred to the committee on internal affairs.

Mr. Pembleton introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences" (Int. No. 655), which was read the first time and referred to the committee on codes.

Mr. Phillips introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to article six of the Constitution, in relation to opinions of the Court of



Appeals" (Int. No. 656), which was read the first time and referred to the committee on the judiciary.

Mr. Schwarz introduced a bill entitled "An act to amend chapter two hundred and ninety-four of the Laws of nineteen hundred and two, entitled 'An act to provide for the licensing of dogs in cities of the second class, for the care and protection of lost, strayed or homeless dogs, for securing and protecting the rights of the owners thereof and for the protection of the public,' in relation to the destruction of dogs" (Int. No. 657), which was read the first time and referred to the committee on general laws.

Mr. G. T. Seelye introduced a bill entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to the appointment of a deputy fire commissioner and the amount to be raised for the maintenance of the fire department of said village" (Int. No. 658), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to moneys to be raised for village purposes" (Int. No. 659), which was read the first time and referred to the committee on affairs of villages.

Also, "An act in relation to the disposition of ten thousand dollars and accrued interest belonging to the village of Saratoga Springs now on special deposit in the Adirondack Trust Company of Saratoga Springs, and permitting the same to be applied on the village tax budget for the year nineteen hundred and thirteen" (Int. No. 660), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter sixty-eight of the Laws of eighteen hundred and eighty, entitled 'An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments,' in relation to unredeemed tax sale certificates" (Int. No. 661), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to deputy commissioner of parks" (Int. No. 662), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter three hundred and twenty-three of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the election of a receiver of taxes and assessments, for the town and village of Saratoga Springs,' in relation to collecting interest on village funds from the depositories of the same" (Int. No. 663), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to providing for a legal expense fund" (Int. No. 654), which was read the first time and referred to the committee on affairs of villages.

Mr. T. K. Smith introduced a bill entitled "An act to amend the Conservation Law, in relation to the propagation of game and to the application therefor of fees for hunting and trapping licenses" (Int. No. 665), which was read the first time and referred to the committee on conservation.

Mr. Walker introduced a bill entitled "An act to amend the Penal Law, in relation to the sale or possession of cocaine or eucaine" (Int. No. 666), which was read the first time and referred to the committee on codes.

Mr. Bush introduced a bill entitled "An act to amend the Tax Law, in relation to the taxation of the personal property of corporations" (Int. No. 667), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Edwards introduced a bill entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' in relation to the salary of the city engineer and assessors" (Int. No. 668), which was read the first time and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill entitled "An act to provide for the construction of a wall from East Thomas to Garden streets in the city of Rome, on the Black River canal, between the said canal and Beecham avenue, and for filling up said Beecham avenue between East Thomas and Garden street, and making an appropriation therefor" (Int. No. 669), which was read the first time and referred to the committee on ways and means.

Also, "An act to authorize the construction of a new iron bridge with double driveways and sidewalks over the Black River canal at Stanwix street in the city of Rome, and making an appropriation therefor" (Int. No. 670), which was read the first time and referred to the committee on ways and means.

Mr. Knight introduced a bill entitled "An act providing for the assessment and taxation of certain State lands in the town of Genesee Falls, Wyoming county" (Int. No. 671), which was read the first time and referred to the committee on internal affairs.

Mr. Schaap introduced a bill entitled "An act to amend the Greater New York charter, by providing for a difference in the rate of taxation on the value of land wholly unimproved, and the rate on the difference between the value of the land with its improvements and the value of the land wholly unimproved" (Int. No. 672), which was read the first time and referred to the committee on affairs of cities.

Mr. Cole introduced a bill entitled "An act to amend the Agricultural Law, in relation to the sale of farm produce on commission" (Int. No. 673), which was read the first time and referred to the committee on agriculture.

Mr. A. Greenberg introduced a bill entitled "An act to amend the Greater New York charter, in relation to retiring and pensioning members of the fire department" (Int. No. 674), which was read the first time and referred to the committee on affairs of cities.

Mr. Sufrin introduced a bill entitled "An act to amend the Penal Law, in relation to publicity to be given to strikers by employers seeking new laborers" (Int. No. 675), which was read the first time and referred to the committee on codes.

Mr. Silverstein introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to fees for service of process" (Int. No. 676), which was read the first time and referred to the committee on codes.

Mr. Patrie introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution, in relation to the forest preserve" (Int. No. 677), which was read the first time and referred to the committee on the judiciary.

Mr. Dietz introduced a bill entitled "An act to extend the time for making the final report of the commissioners designated to consolidate, codify and revise the laws relating to the estates of deceased persons and the procedure and practice in surrogates' courts" (Int. No. 678), which was read the first time and referred to the committee on codes.

Mr. Grace introduced a bill entitled "An act to legalize conveyances upon tax sales in the county of Cayuga, and proceedings affecting such sales and conveyances" (Int. No. 679), which was read the first time and referred to the committee on the judiciary.

Mr. Schifferdecker introduced a bill entitled "An act to amend section forty-three, article five of chapter twenty of the Consolidated Laws, entitled 'An act relating to general business,' and being chapter twenty-five of the Laws of nineteen hundred and nine" (Int. No. 680), which was read the first time and referred to the committee on general laws.

Also, "An act to provide for the acquisition and preservation of the historic house and grounds formerly owned and occupied by General Nicholas Herkimer, in the town of Danube, in the county of Herkimer, and making an appropriation therefor" (Int. No. 681), which was read the first time and referred to the committee on ways and means.

Mr. Kerrigan introduced a bill entitled "An act to authorize the reinstatement of David Heilferty, as court attendant of the court of general sessions of the peace in the city and county of New York" (Int. No. 682), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to creating a new district for the municipal court of the borough of Brooklyn, changing the boundary lines of existing districts and providing for the election of one additional justice therefrom" (Int. No. 683), which was read the first time and referred to the committee on affairs of cities.

Mr. Levy introduced a bill entitled "An act to amend chapter fifty-one of the Laws of nineteen hundred and nine, entitled 'An act in relation to public officers, constituting chapter forty-seven of the Consolidated Laws,' known as the Public Officers Law" (Int. No. 684), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Code of Civil Procedure, relating to when a foreign corporation may be sued" (Int. No. 685), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, relating to the place of trial of actions to recover damages for injuries to real estate situated without the State" (Int. No. 686), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Greater New York charter, in relation to a hospital pension fund" (Int. No. 687), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter, relative to removal of public officers or employees from office" (Int. No. 688), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to service of employees" (Int. No. 689), which was read the first time and referred to the committee on affairs of cities.

Mr. Bush, from the committee on ways and means, to which was recommitted Assembly bill introduced by Mr. Geyer (No. 503, Int. No. 206), entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation."

Also, Assembly bill introduced by Mr. Fallon (No. 129, Int. No. 129), entitled "An act to provide for deepening and widening the channel of the Peconic river from Indian island to Riverhead town dock in the county of Suffolk, and making an appropriation therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 36, Int. No. 36), introduced by Mr. Jackson, entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," reported in favor of the passage of the same with the following amendments:

Page 2, line 3, after "celebration" insert ", including any entertainment, celebration or public function held within the State of New York during the said celebration and in connection therewith,".

Line 5, strike out "by the Governor".

Line 14, after the comma following "commission" insert "not exceeding".

Line 15, strike out "seventy-five" and insert "fifty"; strike out the numeral "75,000" and insert "50,000".

Line 26, strike out words after "comma".

Page 3, strike out lines 1 and 2 and line 3 to and including the comma after "commission".

Strike out lines 7 to 12, inclusive, and line 13 to and including "and", occurring the second time; change the small letter "i" in "it" to a capital letter.

Page 4, line 1, after "necessary" insert "and it may also rent suitable office quarters and do any and all other acts".

Line 7, after "thirteen" and before the ensuing period insert "and no person shall be debarred from receiving pay for services rendered by reason of membership in the said commission."

Line 11, strike out all of line after the period after "commission" and insert in place thereof the following: "Such commission shall consist of five members heretofore appointed by the Governor, the Lieutenant-Governor, two Senators to be appointed by the Temporary President of the Senate, and three members of Assembly to be appointed by the Speaker of the Assembly. If a

vacancy occurs in the office of any member, it shall be filled by the officer making the original appointment."

Strike out all of lines 12 to 16, inclusive, and line 17 to and including the period after "vacancies".

Line 4, strike out the word "salaries" and insert "compensation".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. Knight (No. 422, Int. No. 420), entitled "An act to amend the Code of Criminal Procedure, in relation to new trials."

Also, Assembly bill introduced by Mr. Cuvillier (No. 430, Int. No. 425), entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities."

Also, Assembly bill introduced by Mr. Pappert (No. 421, Int. No. 419), entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to body execution for the nonpayment of certain judgments of the municipal court."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 478, Int. No. 473), entitled "An act to amend the Code of Criminal Procedure, in relation to an order to compel a person to support a poor relative."

Also, Assembly bill introduced by Mr. Deitz (No. 433, Int. No. 428), entitled "An act to amend the Code of Civil Procedure, in relation to the fees for publication of legal notices and advertisements required by law," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 163, Int. No. 160) introduced by Mr. A. Greenberg, entitled "An act to amend the Code of Criminal Procedure, in relation to the admission of defendants to bail," reported in favor of the passage of the same, with the following amendment:

On page 2, at line 4, after the word "effect" insert the word "immediately" and a period.



which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Walker (No. 96, Int. No. 96), entitled "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations."

Also, Assembly bill introduced by Mr. Walker (No. 93, Int. No. 93), entitled "An act to amend the Insurance Law, in relation to brokers," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Assembly bill (No. 91, Int. No. 91) introduced by Mr. Walker, entitled "An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign corporation," reported in favor of the passage of the same, with the following amendments:

Page 2, line 16, insert after the word "may" the following in italics: "after a hearing on notice".

Page 2, line 18, add at the end of line the following in italics: "the action of the Superintendent of Insurance in revoking the certificate of authority of a foreign corporation shall be subject to review by writ of certiorari."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Walker (No. 99, Int. No. 99), entitled "An act to amend the Insurance Law, in relation to agents" reported in favor of the passage of the same, with the following amendment:

Page 2, lines 6 and 7, strike out "on behalf of such underwriter" and insert in italics "but shall not include the officers and salaried employees of any such underwriter, who do not receive commissions."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.



Mr. Walker, from the committee on insurance, to which was referred Assembly bill (No. 153, Int. No. 150) introduced by Mr. Walker, entitled "An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance," reported in favor of the passage of the same, with the following amendment:

Page 7, line 15, after "policy" and before the period insert in italics "nor to a broker acting as adjustor without compensation for a client for whom he is acting as broker, nor to contracts made by persons, partnerships, associations or corporations authorized to do business under article nine of this chapter."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Daley (No. 221, Int. No. 218), entitled "An act to amend the Benevolent Orders Law, in relation to powers of joint corporations," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill (No. 25, Int. No. 25) introduced by Mr. Gurnett, entitled "An act to amend the General Business Law, in relation to the approval of the type of weighing and measuring devices," reported in favor of the passage of the same, with the following amendment:

Page 3, line 21, strike out word "dealer" and insert in place thereof in italics the word "person".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Military Law, in relation to privileges, prohibitions and penalties." (No. 426, Int. No. 245.)

"An act to amend the Village Law, in relation to powers of village trustees to provide for band concerts." (No. 508, Int. No. 205.)

"An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and eighty-four, entitled 'An act to amend chapter one hundred and forty of the Laws of eighteen hundred and fifty-three, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village," and the several acts amendatory thereof,' in relation to providing moneys by taxation for the village sanitary sewer system and extensions thereof." (No. 505, Int. No. 284.)

"An act to amend chapter fifty-five of the Laws of nineteen hundred and nine, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' in relation to municipal lighting." (No. 507, Int. No. 137.)

"An act to amend the Greater New York charter, in relation to the department of parks." (No. 506, Int. No. 275.)

Mr. McElligott offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be discharged from the further consideration of Assembly bill (No. 24, Int. No. 24) entitled "An act to amend the General Business Law, in relation to track scales for weighing carload freight," and that said bill be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

The bill (No. 302, Int. No. 298) entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 254, Int. No. 250) entitled "An act to permit the common council of the city of Oneonta to vote extra compensation to the chamberlain, commissioner of charities and assessors, of such city for the year nineteen hundred and thirteen," was read the second time.

On motion of Mr. Butts, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 255, Int. No. 251) entitled "An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled 'An act to incorporate the city of Oneonta,' generally," was read the second time.

On motion of Mr. Butts, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 432, Int. No. 427) entitled "An act to amend the Village Law, in relation to contracts for indemnity insurance against damages for injuries to persons," was read the second time.

On motion of Mr. Daley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 377, Int. No. 373) entitled "An act to repeal chapter five hundred and sixty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the town board and the superintendent of highways of the town of Wales, in the county of Erie, to cancel the assessment for the improvement of the Big Tree road in said town of Wales and to refund all moneys heretofore paid upon said rolls,'" was read the second time.

On motion of Mr. Dorst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 341, Int. No. 337) entitled "An act to legalize, ratify and confirm the proceedings had and taken by the village of Liberty in the county of Sullivan, its trustees, officers, servants and electors, in the matter of the issuance of the bonds and obligations of said village for the improvement of Main street in said village in conjunction with the construction of State highway route number four through said village, and to provide for the issuance, sale and payment of such bonds and obligations," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 465, Int. No. 460) entitled "An act to amend the Town Law, in relation to the appointment of special constables," was read the second time.

On motion of Mr. Fuller, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 188, Int. No. 185) entitled "An act to legalize

bonds of the village of Brockport, Monroe county, New York, not exceeding two hundred and seventy-five thousand dollars in amount, for the purpose of establishing a system of water works and procuring the necessary water for fire protection and domestic purposes in and for said village, and to provide for the payment of the principal and interest of said bonds," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 384, Int. No. 381) entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," was read the second time.

On motion of Mr. Goldberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 463, Int. No. 458) entitled "An act to amend the Greater New York charter, in relation to the transfer and utilization of cash balances in corporate stock funds," was read the second time.

On motion of Mr. Hammer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 81, Int. No. 81) entitled "Concurrent resolution of the Senate and Assembly proposing amendments to article eight, section ten of the Constitution, excepting from the provisions of said section fixing a limitation of indebtedness of counties, cities, towns and villages, debts incurred by cities of the first class after the first day of January, nineteen hundred and four, to provide for the supply of water," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 445, Int. No. 440) entitled "An act to amend the Greater New York charter, in relation to the cancellation of certain assessments for public improvements levied against property belonging to the city," was read the second time.

On motion of Mr. Kennedy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 513, Int. No. 502) entitled "An act to incorporate The Ministers and Missionaries Benefit Board of the Northern Baptist Convention," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 387, Int. No. 384) entitled "An act to amend the Greater New York charter, in relation to the power of the city superintendent of schools to enforce the Compulsory Education Law," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 389, Int. No. 386) entitled "An act to amend the Greater New York charter, in relation to a nautical school," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 451, Int. No. 446) entitled "An act to amend the Greater New York charter, in relation to the disposition of the proceeds of certain personal property sold by the board of education," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 500, Int. No. 495) entitled "An act to amend chapter one hundred and forty-eight of the Laws of nineteen hundred and five, entitled 'An act to authorize the board of trustees of the village of White Plains to acquire lands for the site of a public library and to maintain a public library, and issue bonds therefor,' in relation to the amount to be raised by taxation and expended annually, for maintaining said library," was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 99, Rec. No. 3) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter three hundred and forty-five of the Laws of eighteen hundred and ninety-three, and by chapter five hundred and eighty-six of the Laws of

eighteen hundred and ninety-nine, authorizing said city to borrow money by the sale and issue of its bonds for the acquisition of lands and the construction, equipment and furnishing of buildings for school purposes," was read for the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading.

The bill (No. 483, Int. No. 478) entitled "An act to supplement the provisions of law relating to the department of public works of the city of Syracuse," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 240, Int. No. 237) entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling," was read the second time.

On motion of Mr. Tallett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 487, Int. No. 482) entitled "An act to amend the Greater New York charter, in relation to vacations of employees," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 464, Int. No. 459) entitled "An act to amend the Greater New York charter, in relation to the transfer of moneys from the general fund of the city to appropriate accounts for the purpose of adjusting deductions made under the provisions of the Tax Law referring to taxes upon special franchises," was read the second time.

On motion of Mr. Weil, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 461, Int. No. 456) entitled "An act to amend chapter six hundred and sixty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act to make the office of county clerk of Wayne county a salaried office, and regulating the fees

and management of said office,' in relation to compensation of the county clerk of such county," was read the second time.

On motion of Mr. Yeomans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 531, Int. No. 2) entitled "An act to provide campaign badges for the officers and enlisted men who served in the army and navy of the United States during the Spanish, Philippine or China campaigns, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 00

Those were voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Smith J A
Allen	Eisner	Hover	McDaniels	Smith M
Baumes	Esquirol	Hughes	McElligott	Smith T K
Baxter	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McKeon	Sufrin
Bradley	Farrell	Jones	McMahon	Sullivan
Brereton	Fitzgerald	Jude	Monahan	Sutphin
Brewster	Fuller	Kelly J J	Norton	Sweet
Bryant	Gage	Kelly J D	O'Connor	Tallett
Burden	Garvey	Kelly P J	Pappert	Taylor F J
Bush	Gathright	Kenney	Patrie	Taylor T D
Butts	Geoghan	Kennedy	Pembleton	Telford
Campbell	Geyer	Kerrigan	Phillips	Tudor
Carroll	Gibbs	Kiernan	Pullman	Van Woert
Carver	Gillen	Knight	Richardson	Vert
Caughlan	Gillett	Kornobis	Robinson	Volk
Cole	Goldberg	Larrimer	Rozan	Walker
Cronin	Grace	Levy	Schaap	Webb
Cuvillier	Greenberg A	Lewis	Schifferdecker	Weil
Daley	Grimme	Macdonald	Schnirel	Willard
Deitz	Gurnett	Machold	Schwarz	Willmott
Denney	Hamilton	Madden	Seely J L	Wood
Donohue	Heyman	Malone	Seelye G T	Yale
Dorst	Hinman	Maloney	Shepardson	Yard
Doty	Hopkins	McCue	Silverstein	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved, That one thousand copies of the report of the Commissioner of Health of the Port of New York be printed for his use and distribution.

which was referred to the committee on public printing.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *January 29, 1913.*

Resolved (if the Assembly concur), That twenty thousand additional copies of that part of the annual report of the Bureau of Labor Statistics for the year nineteen hundred and eleven, containing the history of Typographical Union No. 6, be printed and distributed as follows: Fifty copies to each member of the Senate, twenty-five copies to each member of the Assembly and the balance to the Commissioner of Labor.

By order of the Senate,  
PATRICK E. McCABE,  
*Clerk.*

which was referred to the committee on Public Printing.

Pursuant to resolution, the Senate returned Assembly bill (No. 286, Int. No. 282) entitled "An act to legalize the proceedings taken by the village of Pleasantville, Westchester county, New York, for an issue of bonds in the amount of twenty-six thousand dollars, for the purpose of acquiring land for and constructing a hilltop reservoir pipe line thereto, alteration and extension of mains, improving pumping system and installing water meters in said village."

The Senate returned the bill (No. 48, Int. No. 48) entitled "An act to incorporate the Harriman Research Laboratory," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Levy, the House adjourned.



## FRIDAY, JANUARY 31, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Joseph A. Dunney.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Commissioners of the Land Office, which was laid upon the table and ordered printed.

(See Assembly Document No. 23.)

Also, the Minority Report of and Testimonial of the Committee of the Legislature on the Conservation and Utilization of the Water Power, which was laid upon the table and ordered printed.

(See Assembly Document No. 24.)

The Senate sent for concurrence the following entitled bills:

"An act to amend the Military Law, in relation to privileges, prohibitions and penalties" (No. 397, Rec. No. 7), which was read the first time and referred to the committee on military affairs.

"An act to amend the Benevolent Orders Law, in relation to powers of joint corporations" (No. 398, Rec. No. 8), which was read the first time and referred to the committee on the judiciary.

Mr. Bovie introduced a bill entitled "An act to amend chapter one hundred and eighty-five of the Laws of eighteen hundred and forty-six, entitled 'An act authorizing the election of trustees of public lands of the town of Eastchester, and defining their duties,' in relation to the election and powers of such trustees" (Int. No. 690), which was read the first time and referred to the committee on internal affairs.

Mr. Esquirol introduced a bill entitled "An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act, entitled "An act to incorporate the Green-Wood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the designation of those to be interred in alienable lots and the transfer of such lots in certain cases"

(Int. No. 691), which was read the first time and referred to the committee on the judiciary.

Mr. Gillen introduced a bill entitled "An act to amend the Judiciary Law, relative to the salary of typewriter operators in first and second departments of Appellate Division" (Int. No. 692), which was read the first time and referred to the committee on the judiciary.

Mr. Grimme introduced a bill entitled "An act to amend the Religious Corporation Law, in relation to the sale, mortgage and lease of real property of religious corporations" (Int. No. 693), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Jones introduced a bill entitled "An act making an appropriation for the purpose of establishing, maintaining and operating nurseries for the propagation of trees and reforesting lands within the State" (Int. No. 694), which was read the first time and referred to the committee on ways and means.

Also, "An act making provision for issuing bonds to the amount of not to exceed forty million dollars for the improvement of the canal system of the State by the extension of the Black River canal, the reconstruction of the Chemung canal, the conservation of the Glens Falls feeder into a canal, the construction of a canal between Flushing river and Jamaica bay, and for the purchase of lands required for said improvements, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and thirteen" (Int. No. 695), which was read the first time and referred to the committee on ways and means.

Mr. Levy introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to the power of the Commission to suspend rate schedules" (Int. No. 696), which was read the first time and referred to the committee on railroads.

Mr. McCue introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to common carriers and extending the jurisdiction of the Public Service Commissions to baggage companies and transfer companies" (Int. No. 697), which was read the first time and referred to the committee on railroads.

Mr. McDaniels introduced a bill entitled "An act providing for the development and extension of the New York State Veterinary College at Cornell University, and making an appropriation therefor" (Int. No. 698), which was read the first time and referred to the committee on ways and means.

Mr. O'Connor introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to the clerks and deputy clerks of the court of special sessions" (Int. No. 699), which was read the first time and referred to the committee on codes.

Mr. Phillips introduced a bill entitled "An act to amend the General Business Law, relative to the protection of life and health in the running of elevators which carry passengers" (Int. No. 700), which was read the first time and referred to the committee on general laws.

Mr. G. T. Seelye, by request, introduced a bill entitled "An act to repeal chapter three hundred and ninety-one of the Laws of nineteen hundred and twelve" (Int. No. 701), which was read the first time and referred to the committee on affairs of villages.

Mr. Wood introduced a bill entitled "An act to release all rights and interest of the people of the State in and to certain lands in Saratoga county, formerly owned by Alice Malone, deceased, and vesting such rights and interests in Alice Brownrick, her heirs and assigns" (Int. No. 702), which was read the first time and referred to the committee on ways and means.

Mr. Burr introduced a bill entitled "An act to repeal section thirteen of the Decedent Estate Law, in relation to devises of real property to aliens" (Int. No. 703), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Real Property Law, in relation to tenure of real property by aliens" (Int. No. 704), which was read the first time and referred to the committee on the judiciary.

Mr. Tallett introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to judgment upon appeal from a justice's court" (Int. No. 705), which was read the first time and referred to the committee on codes.

Mr. Schwarz, from the committee on revision, to which was

referred the bill introduced by Mr. Jackson (No. 81, Int. No. 81), entitled "Concurrent resolution of the Senate and Assembly proposing amendment to article eight, section ten of the Constitution, excepting from the provisions of said section fixing a limitation of indebtedness of counties, cities, towns and villages, debts incurred by cities of the first class after the first day of January, nineteen hundred and four, to provide for the supply of water."

Also, the bill introduced by Mr. Tallett (No. 240, Int. No. 237), entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling."

Also, the bill introduced by Mr. Butts (No. 254, Int. No. 250), entitled "An act to permit the common council of the city of Oneonta to vote extra compensation to the chamberlain, commissioner of charities and assessors, of such city for the year nineteen hundred and thirteen."

Also, the bill introduced by Mr. Bush (No. 302, Int. No. 298), entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study."

Also, the bill introduced by Mr. Evans (No. 341, Int. No. 337), entitled "An act to legalize, ratify and confirm the proceedings had and taken by the village of Liberty in the county of Sullivan, its trustees, officers, servants and electors, in the matter of the issuance of bonds and obligations of said village for the improvement of Main street in said village in conjunction with the construction of State highway route number four through said village, and to provide for the issuance, sale and payment of such bonds and obligations."

Also, the bill introduced by Mr. Dorst (No. 377, Int. No. 373), entitled "An act to repeal chapter five hundred and sixty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the town board and the superintendent of highways of the town of Wales, in the county of Erie, to cancel the assessment

for the improvement of the Big Tree road in said town of Wales, and to refund all moneys heretofore paid upon said rolls."

Also, the bill introduced by Mr. Levy (No. 513, Int. No. 502), entitled "An act to incorporate the Ministers and Missionaries Benefit Board of the Northern Baptist Convention."

Also, the bill introduced by Mr. Goldberg (No. 384, Int. No. 381), entitled "An act to amend the Judiciary Law, in relation to jurors in New York county."

Also, the bill introduced by Mr. McKee (No. 387, Int. No. 384), entitled "An act to amend the Greater New York charter, in relation to the power of the city superintendent of schools to enforce the Compulsory Education Law."

Also, the bill introduced by Mr. Daley (No. 432, Int. No. 427), entitled "An act to amend the Village Law, in relation to contracts for indemnity insurance against damages for injuries to persons."

Also, the bill introduced by Mr. Yeomans (No. 461, Int. No. 456), entitled "An act to amend chapter six hundred and sixty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act to make the office of county clerk of Wayne county a salaried office, and regulating the fees and management of said office,' in relation to compensation of the county clerk of such county."

Also, the bill introduced by Mr. McKee (No. 389, Int. No. 386), entitled "An act to amend the Greater New York charter, in relation to a nautical school."

Also, the bill introduced by Mr. O'Brien (No. 500, Int. No. 495), entitled "An act to amend chapter one hundred and forty-eight of the Laws of nineteen hundred and five, entitled 'An act to authorize the board of trustees of the village of White Plains to acquire lands for the site of a public library and to maintain a public library, and to issue bonds therefor,' in relation to the amount to be raised by taxation and expended annually for maintaining said library."

Also, the bill introduced by Mr. Fuller (No. 465, Int. No. 460), entitled "An act to amend the Town Law, in relation to the appointment of special constables."

Also, the bill introduced by Mr. Weil (No. 464, Int. No. 459),

entitled 'An act to amend the Greater New York charter, in relation to the transfer of moneys from the general fund of the city to appropriate accounts for the purpose of adjusting deductions made under the provisions of the Tax Law referring to taxes upon special franchises.'

Also, the bill introduced by Mr. T. K. Smith (No. 483, Int. No. 478), entitled "An act to supplement the provisions of law relating to the department of public works of the city of Syracuse."

Also, the bill introduced by Mr. McKee (No. 451, Int. No. 446), entitled "An act to amend the Greater New York charter, in relation to the disposition of the proceeds of certain personal property sold by the board of education."

Also, the bill introduced by Mr. Hammer (No. 463, Int. No. 458), entitled "An act to amend the Greater New York charter, in relation to the transfer and utilization of cash balances in corporate stock funds."

Also, the bill introduced by Mr. Walker (No. 487, Int. No. 482), entitled "An act to amend the Greater New York charter, in relation to vacations of employees."

Also, the bill introduced by Mr. Kennedy (No. 445, Int. No. 440), entitled "An act to amend the Greater New York charter, in relation to the cancellation of certain assessments for public improvements levied against property belonging to the city," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Butts (No. 255, Int. No. 251), entitled "An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled 'An act to incorporate the city of Oneonta,' generally," reported the same with the following recommendations:

On page 5, line 7, after period insert dash, and after "the" insert "city."

On page 8, line 7, strike out comma and insert "and."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

The bill (No. 430, Int. No. 425) entitled "An act to amend

the Penal Law, in relation to processions on Sunday in cities," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 221, Int. No. 218) entitled "An act to amend the Benevolent Orders Law, in relation to powers of joint corporations," was read the second time.

On motion of Mr. Daley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 433, Int. No. 428) entitled "An act to amend the Code of Civil Procedure, in relation to the fees for publication of legal notices and advertisements required by law," was read the second time.

On motion of Mr. Deitz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 129, Int. No. 129) entitled "An act to provide for deepening and widening of the channel of the Peconic river from Indian island to riverhead town dock in the county of Suffolk, and making an appropriation therefor," was read the second time.

On motion of Mr. Fallon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 503, Int. No. 206) entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 478, Int. No. 473) entitled "An act to amend the Code of Criminal Procedure, in relation to an order to compel a person to support a poor relative," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 422, Int. No. 420) entitled "An act to amend the Code of Criminal Procedure, in relation to new trials," having been announced for a second reading,



On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 421, Int. No. 419) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to body execution for the non-payment of certain judgments of the municipal court," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 93, Int. No. 93) entitled "An act to amend the Insurance Law, in relation to brokers," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 96, Int. No. 96) entitled "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 533, Int. No. 77) entitled "An act to amend the Judiciary Law, in relation to the furnishing of copies of proceedings to parties in civil and criminal actions," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 99, Rec. No. 3) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter three hundred and forty-five of the Laws of eighteen hundred and ninety-three, and



by chapter five hundred and eighty-six of the Laws of eighteen hundred and ninety-nine, authorizing said city to borrow money by the sale and issue of its bonds for the acquisition of lands and the construction, equipment and furnishing of buildings for school purposes," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 505, Int. No. 284) entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and eighty-four, entitled 'An act to amend chapter one hundred and forty of the Laws of eighteen hundred and fifty-three, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village," and the several acts amendatory thereof,' in relation to providing moneys by taxation for the village sanitary sewer system and extensions thereof," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 426, Int. No. 245) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," having been announced for a third reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 506, Int. No. 275) entitled "An act to amend the Greater New York charter, in relation to the department of parks," having been announced for a third reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 507, Int. No. 137) entitled "An act to amend chapter fifty-five of the Laws of nineteen hundred and nine, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws, in relation to municipal lighting," having been announced for a third reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 508, Int. No. 205) entitled "An act to amend the Village Law, in relation to powers of village trustees to provide for band concerts," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate returned the bill (No. 145, Int. No. 142) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to limitation of moneys to be raised for defraying city expenses," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Elmira.

On motion of Mr. Levy, the House adjourned.

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### MONDAY, FEBRUARY 3, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Thomas White, Rensselaer.

On motion of Mr. Levy, the reading of the journal of Friday, January 31st, was dispensed with and the same was approved.

Mr. Speaker presented the Twenty-fourth Annual Report of the State Hospital Commission, which was laid upon the table and ordered printed.

(See Assembly Document No. 27.)

Also, the Ninth Annual Report of the Education Department, which was laid upon the table and ordered printed.

(See Assembly Document No. 26.)

Also, the annual report of the Insurance Department, which was laid upon the table and ordered printed.

(See Assembly Document No. 25.)

Mr. Bush introduced a bill entitled "An act making an appropriation in accordance with chapter two hundred and twenty-seven of the Laws of nineteen hundred and twelve, to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg" (Int. No. 706), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to provide for a monument in the city of New York, to commemorate the deeds of the soldiers of the Sixty-third, Sixty-ninth and Eighty-eighth Regiments of New York Volunteer Infantry, Meagher's Irish Brigade, which served in the War of the Rebellion from eighteen hundred and sixty-one to eighteen hundred and sixty-five, and to make an appropriation therefor" (Int. No. 707), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Military Law, in relation to the signal corps" (Int. No. 708), which was read the first time and referred to the committee on military affairs.

Mr. Caughlan introduced a bill entitled "An act to amend the Civil Service Law, in relation to examinations for promotion in the police or fire department of a city" (Int. No. 709), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to amend the Civil Rights Law, in relation to the use of names of religious bodies for the purposes of trade or advertisement" (Int. No. 710), which was read the first time and referred to the committee on the judiciary.

Mr. Grace introduced a bill entitled "An act to authorize the village of Weedsport and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burial ground in said village" (Int. No. 711), which was read the first time and referred to the committee on affairs of villages.

Mr. Gillett introduced a bill entitled "An act to provide for the construction of a new bridge over Keuka Lake outlet in the village of Penn Yan, and making an appropriation therefor" (Int. No. 712), which was read the first time and referred to the committee on ways and means.

Mr. Kennedy introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jurisdiction, practice, procedure and appeals" (Int. No. 713), which was read the first time and referred to the committee on codes.

Mr. Knight introduced a bill entitled "An act to amend the Penal Law, in relation to trade marks" (Int. No. 714), which was read the first time and referred to the committee on codes.

Mr. Levy introduced a bill entitled "An act to authorize appeals in certain proceedings brought by the city of New York for acquiring property in the borough of Manhattan, city of New York for bridge purposes" (Int. No. 715), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Greater New York charter, in relation to the relief of dependent widows with young children" (Int. No. 716), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter eight hundred and forty-six of the Laws of nineteen hundred and eleven, entitled 'An act in relation to the retirement of justices of the municipal court of the city of New York, their appointment as official referees and their compensation as such,' with reference to limiting the place in which actions shall be referred to the counties composing the city of New York and providing compensation by such counties instead of by the city of New York" (Int. No. 717), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure to authorize actions to cancel sales of lands for unpaid taxes in certain cases" (Int. No. 718), which was read the first time and referred to the committee on codes.

Mr. McMahon introduced a bill entitled "An act to require the issuance of transfers in the city of New York by certain electric surface railroads running into such city" (Int. No. 719), which was read the first time and referred to the committee on railroads.

Mr. Patric introduced a bill entitled "An act to amend the

General Business Law, in relation to taking ice in Catskill creek" (Int. No. 720), which was read the first time and referred to the committee on general laws.

Also, "An act to establish a State school of agriculture in the county of Greene, and making an appropriation therefor" (Int. No. 721), which was read the first time and referred to the committee on ways and means.

Mr. T. K. Smith introduced a bill entitled "An act restricting the filing and effect of certain maps of lands in and near the city of Syracuse, unless such maps are approved by the city engineer of the city of Syracuse" (Int. No. 722), which was read the first time and referred to the committee on affairs of cities.

Mr. J. A. Smith introduced a bill entitled "An act to amend chapter four hundred of the Laws of nineteen hundred and eleven, entitled 'An act providing for the reconstruction of the old portion of the Potsdam State Normal and Training School,' in relation to the maximum cost of such reconstruction, and also making an appropriation therefor" (Int. No. 723), which was read the first time and referred to the committee on ways and means.

Mr. Sullivan introduced a bill entitled "An act to amend the Dunkirk city charter, in relation to the salary of policemen" (Int. No. 724), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Penal Law, in relation to the practice of law by members of the Legislature and in relation to State officials being interested in contracts" (Int. No. 725), which was read the first time and referred to the committee on codes.

Mr. M. Smith introduced a bill entitled "An act to amend the Conservation Law in relation to taking certain fish in Ten Mile river in the town of Dover in the county of Dutchess" (Int. No. 726), which was read the first time and referred to the committee on conservation.

Mr. T. K. Smith introduced a bill entitled "An act in relation to the acceptance by dedication of streets, highways and alleys in the city of Syracuse" (Int. No. 727), which was read the first time and referred to the committee on affairs of cities.

Mr. M. Smith introduced a bill entitled "An act to incorporate the city of Beacon" (Int. No. 728), which was read the first time and referred to the committee on affairs of cities.

Mr. Denney introduced a bill entitled "An act to amend the Greater New York charter, in relation to regulating and licensing public dance halls and ball rooms" (Int. No. 729), which was read the first time and referred to the committee on affairs of cities.

Mr. Emden introduced a bill entitled "An act to amend chapter six hundred and fifty-nine of the Laws of eighteen hundred and sixty-five, entitled 'An act in relation to the collection of taxes in the city of Utica'" (Int. No. 730), which was read the first time and referred to the committee on affairs of cities.

Mr. Maloney introduced a bill entitled "An act to amend the Town Law, in relation to powers of supervisors to appoint assistants, in certain towns" (Int. No. 731), which was read the first time and referred to the committee on internal affairs.

Mr. Fallon introduced a bill entitled "An act to amend the Tax Law, in relation to sales by county treasurer" (Int. No. 732), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. G. T. Seelye introduced a bill entitled "An act to repeal certain sections of chapter eight hundred and seventy-four of the Laws of eighteen hundred and seventy-two, entitled 'An act in regard to union free school district number one in the town of Milton, and to enlarge its boundaries, and authorize the board of education thereof to raise money to purchase sites, and to build or purchase school-houses'" (Int. No. 733), which was read the first time and referred to the committee on public education.

Also, "An act to amend chapter five hundred and six of the Laws of nineteen hundred and two, entitled 'An act to amend the charter of the village of Saratoga Springs and to provide for the appointment of sewer, water and street commissioners for said village and to prescribe their powers and duties,' generally" (Int. No. 734), which was read the first time and referred to the committee on affairs of villages.

Mr. M. Greenberg introduced a bill entitled "An act to amend

the Greater New York charter, in relation to a board of commutations and providing for appeals therefrom" (Int. No. 735), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter in relation to authorizing the election of an additional justice of the municipal court of the city of New York for the second district of the borough of Manhattan" (Int. No. 736), which was read the first time and referred to the committee on codes.

Also, "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to evening sessions of such court" (Int. No. 737), which was read the first time and referred to the committee on codes.

Mr. Hinman introduced a bill entitled "An act to amend the Highway Law, relative to the State Commission of Highways" (Int. No. 738), which was read the first time and referred to the committee on internal affairs.

Mr. McElligott introduced a bill entitled "An act to amend the Poor Law, in relation to almshouse construction and administration" (Int. No. 739), which was read the first time and referred to the committee on general laws.

Mr. McMahon introduced a bill entitled "An act to amend the General City Law by adding thereto a new article, relative to requiring all persons engaged in the business of building construction, as master builders, to procure a certificate of competency in cities of the first and second class" (Int. No. 740), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to fraternal beneficiary societies, orders and associations" (Int. No. 741), which was read the first time and referred to the committee on insurance.

Mr. Hammer introduced a bill entitled "An act to amend chapter one hundred and forty-seven of the Laws of eighteen hundred and seventy-six, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement



of the Harlem river and Spuyten Duyvil creek from the North river to the East river through the Harlem kills, and ceding jurisdiction over the same,' in relation to enabling the State to furnish the United States the right of way necessary for rectification of the bend in the Harlem river ship canal, and making an appropriation therefor" (Int. No. 742), which was read the first time and referred to the committee on ways and means.

Mr. McKee, from the committee on public education, to which was referred Assembly bill introduced by Mr. Hover (No. 243, Int. No. 240), entitled "An act to amend the Education Law, relative to contracts for the instruction of pupils."

Also, Assembly bill introduced by Mr. McCollum (No. 502, Int. No. 497), entitled "An act to amend the Education Law, in relation to annual meetings of school districts," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 430, Int. No. 425), entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities."

Also, the bill introduced by Mr. Fallon (No. 129, Int. No. 129), entitled "An act to provide for deepening and widening of the channel of the Peconic river from Indian island to Riverhead town dock in the county of Suffolk, and making an appropriation therefor."

Also, the bill introduced by Mr. Deitz (No. 433, Int. No. 428), entitled "An act to amend the Code of Civil Procedure, in relation to the fees for publication of legal notices and advertisements required by law."

Also, the bill introduced by Mr. J. D. Kelley (No. 478, Int. No. 473), entitled "An act to amend the Code of Criminal Procedure, in relation to an order to compel a person to support a poor relative," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Daley (No. 221, Int. No. 218), entitled "An act to amend the Benevolent Orders Law, in relation



to powers of joint corporations," reported the same with the following recommendation:

On page 2, line 1, after "room" insert "s".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Judiciary Law, in relation to jurors in New York county." (No. 384, Int. No. 381.)

"An act to amend the Greater New York charter, in relation to the cancellation of certain assessments for public improvements levied against property belonging to the city." (No. 445, Int. No. 440.)

"An act to amend the Town Law, in relation to the appointment of special constables." (No. 465, Int. No. 460.)

"An act to supplement the provisions of law relating to the department of public works of the city of Syracuse." (No. 483, Int. No. 478.)

"An act to amend the Greater New York charter, in relation to the transfer and utilization of cash balances in corporate stock funds." (No. 463, Int. No. 458.)

"An act to amend chapter one hundred and forty-eight of the Laws of nineteen hundred and five, entitled 'An act to authorize the board of trustees of the village of White Plains to acquire lands for the site of a public library and to maintain a public library, and issue bonds therefor,' in relation to the amount to be raised by taxation and expended, annually, for maintaining said library." (No. 500, Int. No. 495.)

"An act to legalize, ratify and confirm the proceedings had and taken by the village of Liberty in the county of Sullivan, its trustees, officers, servants and electors, in the matter of the issuance of the bonds and obligations of said village for the improvement of Main street in said village in conjunction with the construction of State highway route number four through said village, and to provide for the issuance, sale and payment of such bonds and obligations." (No. 341, Int. No. 337.)

"Concurrent resolution of the Senate and Assembly proposing amendments to article eight, section ten of the Constitution,

excepting from the provisions of said section fixing a limitation of indebtedness of counties, cities, towns and villages, debts incurred by cities of the first class after the first day of January, nineteen hundred and four, to provide for the supply of water." (No. 81, Int. No. 81.)

"An act to amend the Greater New York charter, in relation to the transfer of moneys from the general fund of the city to appropriate accounts for the purpose of adjusting deductions made under the provisions of the Tax Law referring to taxes upon special franchises." (No. 464, Int. No. 459.)

"An act to amend the Code of Criminal Procedure, in relation to an order to compel a person to support a poor relative." (No. 478, Int. No. 473.)

"An act to permit the common council of the city of Oneonta to vote extra compensation to the chamberlain, commissioner of charities and assessors, of such city for the year nineteen hundred and thirteen." (No. 254, Int. No. 250.)

"An act to amend the Penal Law, in relation to processions on Sunday in cities." (No. 430, Int. No. 425.)

"An act to amend the Code of Civil Procedure, in relation to the fees for publication of legal notices and advertisements required by law." (No. 433, Int. No. 428.)

"An act to amend the Public Health Law, in relation to cadavers for medical and surgical study." (No. 302, Int. No. 298.)

"An act to provide for deepening and widening of the channel of the Peconic river from Indian island to Riverhead town dock in the county of Suffolk, and making an appropriation therefor." (No. 129, Int. No. 129.)

"An act to amend chapter six hundred and sixty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act to make the office of county clerk of Wayne county a salaried office, and regulating the fees and management of said office,' in relation to compensation of the county clerk of such county." (No. 461, Int. No. 456.)

"An act to repeal chapter five hundred and sixty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the town board and the superintendent of highways of the town

of Wales, in the county of Erie, to cancel the assessment for the improvement of the Big Tree road in said town of Wales, and to refund all moneys heretofore paid upon said rolls." (No. 377, Int. No. 373.)

"An act to incorporate The Ministers and Missionaries Benefit Board of the Northern Baptist Convention." (No. 513, Int. No. 502.)

"An act to amend the Greater New York charter, in relation to the disposition of the proceeds of certain personal property sold by the board of education." (No. 451, Int. No. 446.)

"An act to amend the Greater New York charter, in relation to the power of the city superintendent of schools to enforce the Compulsory Education Law." (No. 387, Int. No. 384.)

"An act to amend the Greater New York charter, in relation to a nautical school." (No. 389, Int. No. 386.)

"An act to amend the Village Law, in relation to contracts for indemnity insurance against damages for injuries to persons." (No. 432, Int. No. 427.)

"An act to amend the Greater New York charter, in relation to vacations of employees." (No. 487, Int. No. 482.)

"An act to amend the Benevolent Orders Law, in relation to powers of joint corporations." (No. 221, Int. No. 218.)

"An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling." (No. 240, Int. No. 237.)

"An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled 'An act to incorporate the city of Oneonta,' generally." (No. 255, Int. No. 257.)

The bill (No. 188, Int. No. 185) entitled "An act to legalize bonds of the village of Brockport, Monroe county, New York, not exceeding two hundred and seventy-five thousand dollars in amount, for the purpose of establishing a system of water works and procuring the necessary water for fire protection and domestic purposes in and for said village, and to provide for the

payment of the principal and interest of said bonds," was read the second time.

On motion of Mr. Gallup, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 503, Int. No. 206) entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation," was read the second time.

On motion of Mr. Geyer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 422, Int. No. 420) entitled "An act to amend the Code of Criminal Procedure, in relation to new trials," having been announced for a second reading,

On motion of Mr. Knight, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 421, Int. No. 419) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to body execution for the non-payment of certain judgments of the municipal court," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 93, Int. No. 93) entitled "An act to amend the Insurance Law, in relation to brokers," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 96, Int. No. 96) entitled "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 533, Int. No. 77) entitled "An act to amend the Judiciary Law, in relation to the furnishing of copies of proceedings to parties in civil and criminal actions," having been announced for a second reading,

On motion of Mr. Levy, said bill was recommitted to the committee on the judiciary, retaining its place on the order of second reading.

The bill (No. 607, Int. No. 350) entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue bonds of the city therefor," was read the second time.

On motion of Mr. Hover, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 608, Int. No. 123) entitled "An act to amend the Village Law, in relation to boards of commissioners," was read the second time.

On motion of Mr. Hughes, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 609, Int. No. 268) entitled "An act to amend section two of the State Law, in relation to boundary lines between the State of New York and the State of Connecticut," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 99, Rec. No. 3) entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' as amended by chapter three hundred and forty-five of the Laws of eighteen hundred and ninety-three, and by chapter five hundred and eighty-six of the Laws of eighteen hundred and ninety-nine, authorizing said city to borrow money by the sale and issue of its bonds for the acquisition of lands and the construction, equipment and furnishing of buildings for school purposes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 505, Int. No. 284) entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and eighty-four, entitled 'An act to amend chapter one hundred and forty of the Laws of eighteen hundred and fifty-three, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and enlarge the powers of the corporation of said village," and the several acts amendatory thereof,' in relation to providing moneys by taxation for the village sanitary sewer system and extensions thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 426, Int. No. 245) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McElligott	Smith M
Allen	Eisner	Jones	McGrath	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin

Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 506, Int. No. 275) entitled "An act to amend the Greater New York charter, in relation to the department of parks," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward



Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hamilton	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 507, Int. No. 137) entitled "An act to amend chapter fifty-five of the Laws of nineteen hundred and nine, entitled 'An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,' in relation to municipal lighting," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 508, Int. No. 205) entitled "An act to amend the Village Law, in relation to powers of village trustees to provide for band concerts," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Shnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimm	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shpardson	Ulrich
Denn y	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 302, Int. No. 298) entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jud:	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 254, Int. No. 250) entitled "An act to permit the common council of the city of Oneonta to vote extra compensation to the chamberlain, commissioner of charities and assessors, of such city for the year nineteen hundred and thirteen," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 432, Int. No. 427) entitled "An act to amend the Village Law, in relation to contracts for indemnity insurance against damages for injuries to persons," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin

Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McClum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 377, Int. No. 373) entitled "An act to repeal chapter five hundred and sixty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the town board and the superintendent of highways of the town of Wales, in the county of Erie, to cancel the assessment for the improvement of the Big Tree road in said town of Wales, and to refund all moneys heretofore paid upon said rolls,'" was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D

Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 341, Int. No. 337) entitled "An act to legalize, ratify and confirm the proceedings had and taken by the village of Liberty in the county of Sullivan, its trustees, officers, servants and electors, in the matter of the issuance of the bonds and obligations of said village for the improvement of Main street in said village in conjunction with the construction of State highway route number four through said village, and to provide for the issuance, sale and payment of such bonds and obligations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninge	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert

Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 465, Int. No. 460) entitled "An act to amend the Town Law, in relation to the appointment of special constables," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 384, Int. No. 381) entitled "An act to amend the Judiciary Law, in relation to jurors in New York county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 463, Int. No. 458) entitled "An act to amend the Greater New York charter, in relation to the transfer and utilization of cash balances in corporate stock funds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.



Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 81, Int. No. 81) entitled "Concurrent resolution of the Senate and Assembly proposing amendments to article eight, section ten of the Constitution, excepting from the provisions of said section fixing a limitation of indebtedness of counties, cities, towns and villages, debts incurred by cities of the first class after the first day of January, nineteen hundred and four, to provide for the supply of water," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 445, Int. No. 440) entitled "An act to amend the Greater New York charter, in relation to the cancellation of certain assessments for public improvements levied against property belonging to the city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin

Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 513, Int. No. 502) entitled "An act to incorporate The Ministers and Missionaries Benefit Board of the Northern Baptist Convention," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edward	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McEligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward

Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Dennen	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 387, Int. No. 384) entitled "An act to amend the Greater New York charter, in relation to the power of the city superintendent of schools to enforce the Compulsory Education Law," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Dennen	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 389, Int. No. 386) entitled "An act to amend the Greater New York charter, in relation to a nautical school," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaa	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 451, Int. No. 446) entitled "An act to amend the Greater New York charter, in relation to the disposition of the proceeds of certain personal property sold by the board of education," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
C'oin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 500, Int. No. 495) entitled "An act to amend chapter one hundred and forty-eight of the Laws of nineteen hundred and five, entitled 'An act to authorize the board of trustees of the village of White Plains to acquire lands for the site of a public library and to maintain a public library, and issue bonds therefor,' in relation to the amount to be raised by taxation and expended, annually, for maintaining said library," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 483, Int. No. 478) entitled "An act to supplement the provisions of law relating to the department of public works of the city of Syracuse," having been announced, Mr. T. K. Smith moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

After the word "parks", line 4, page 1, insert the word "playgrounds".

Strike out the word "section", line 20, page 8, and insert in place thereof the word "chapter".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 240, Int. No. 237) entitled "An act to amend

section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edward	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 487, Int. No. 482) entitled "An act to amend the Greater New York charter, in relation to vacations of em-



ployees," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufran
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Eovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 464, Int. No. 459) entitled "An act to amend the Greater New York charter, in relation to the transfer of moneys from the general fund of the city to appropriate accounts for the purpose of adjusting deductions made under the provisions of the Tax Law referring to taxes upon special franchises," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McEligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 461, Int. No. 456) entitled "An act to amend chapter six hundred and sixty-three of the Laws of eighteen hundred and ninety-two, entitled 'An act to make the office of county clerk of Wayne county a salaried office, and regulating the fees and management of said office,' in relation to compensation of the county clerk of such county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Puliman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 553, Int. No. 1005) entitled "An act to amend the Town Law, in relation to the compensation of town officers," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett

Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Patrie	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillier	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, There is pending in Congress a bill to establish a council of national defense, to be composed of the President, Secretaries of State, War and Navy, the chairmen of the Senate and House committees on appropriations, foreign affairs, military affairs, naval affairs, the chief of the general staff of the army and the presidents of the army and navy war colleges;

Whereas, Said bill is patriotic in its purposes and entails no expense to the National government, and is for the purpose of a council of defense of the nation.

Resolved (if the Senate concur), That the Legislature of the State of New York approves of said bill and respectfully requests the Representatives in Congress of the State of New York to use their best offices in its behalf.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Patrie offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That fifteen hundred copies of the testimony and three thousand copies of the majority and of the minority reports of the Joint Committee of the Legislature on the Conservation and Utilization of Water Power be printed for the use of the Senate and the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative. a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 122

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McDaniels	Smith M
Allen	Eisner	Jones	McElligott	Smith T K
Baumes	Esquirol	Jude	McKee	Squire
Baxter	Evans	Kane	McMahon	Sufrin
Benninger	Fallon	Kelly J A	Monahan	Sutphin
Bovie	Farrell	Kelly J J	Norton	Sweet
Bradley	Fitzgerald	Kelly J D	O'Brien	Tallett
Brereton	Finnigan	Kelly P J	O'Connor	Taylor F J
Brewster	Fuller	Kenney	Oxford	Taylor T D
Bryant	Gage	Kennedy	Pappert	Telford
Burden	Gallup	Kiernan	Pembleton	Tudor
Bush	Garvey	Knight	Pullman	Van Woert
Butts	Gathright	Knott	Richardson	Vert
Carroll	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Lane	Schaap	Walker
Cole	Gibbs	Larrimer	Schnirel	Ward
Cotillo	Gillett	Levy	Schwarz	Webb
Cronin	Goldberg	Lewis	Seaker	Weil
Cuvillie	Grace	Macdonald	Seely J L	Willmott
Daley	Grimme	Madden	Seelye G T	Wood
Deitz	Gurnett	Magee	Shepardson	Ulrich
Denney	Hammer	Malone	Silverstein	Yale
Dorst	Hinman	Maloney	Small	Yard
Doty	Hopkins	McCollum	Smith J A	Yeomans
Dox	Hughes			

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Levy offered for the consideration of the House a resolution, in the words following:

Whereas, At a meeting called by the East Side Neighborhood Association of New York, and held on February 2, 1913, taxpayers and residents of the lower east side in the city of New York voiced the indignation of their community at the retention and use of horse cars along Delancy, Stanton, Madison, Houston, South, Front, Lewis and Goerck streets, First avenue and Avenues C and D.

Whereas, Resolutions were there adopted calling upon the Legislature of the State of New York to cause the Public Service Commission, First District, to render to the Legislature a report of what steps have been taken to remove the horse cars from the lower east side, and to replace them with electric cars such as are now in use in the rest of the city and State; and

Whereas, The people of the lower east side suffer great hard-

ship and inconvenience by reason of a continuance of the present horse car system; and

Whereas, The matter of their discontinuance has been before the Public Service Commission, First District, for a considerable length of time; and

Whereas, No definite termination in that respect has thus far been reached by that Commission; therefore, be it

Resolved, That the Public Service Commission, First District, furnish the Assembly of this State within ten days after a transmission of a copy hereof, with a complete report of what action the Commission has taken to remove horse cars from the lower east side, and to replace them with electric cars such as are now in use in the rest of the city and State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hamilton offered for the consideration of the House a resolution, in the words following:

Whereas, There is now pending in Congress a bill providing for the repeal of a clause in the Panama canal law, exempting coastwise vessels from the payment of toll, and recommending that the disputed question of interpretation of the Hay-Pauncefote treaty be referred to arbitration; and

Whereas, The Panama canal law was enacted after careful consideration by appropriate committees of both Houses of Congress; and

Whereas, The Legislature is of opinion that the Supreme Court of the United States is the only proper tribunal to interpret the laws of the United States; and

Whereas, On broad principles of general justice the United States is justified in enacting a law for the benefit of its coastwise shipping in the use of a canal constructed entirely by it, especially when all other nations are treated without discrimination.

Resolved (if the Senate concur), That it is the opinion of the Legislature of the State of New York that such bill should not be passed and that the Senators and Representatives in Congress from the State of New York should use all honorable means to accomplish its defeat.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Benninger offered for the consideration of the House a resolution, in the words following:

Whereas, On the twenty-first day of January, nineteen hundred

and thirteen, the Honorable Albert C. Benninger, member of Assembly from the third district of the county of Queens, introduced in the Assembly a bill to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, with reference to the price of illuminating gas in the second, third, fourth and fifth wards of the borough of Queens, which bill is known as printed number 397; and

Whereas, The Public Service Commission of the First District has made certain investigations and held hearings with reference to the subject matter of such bill and are in possession of certain detailed information and data with reference to the cost of furnishing illuminating gas to said territory, the income derived therefrom, the value of the plants of the companies furnishing and selling the gas, and other information necessary for a proper discussion of and action upon said bill, now, therefore

Resolved, That the Public Service Commission of the First District be and it is hereby directed to furnish to the Assembly, with all reasonable speed, all information in its possession with reference to the value of the plants of all individuals, copartnerships and corporations furnishing and selling illuminating gas in the second, third, fourth and fifth wards of the borough of Queens, in the city of New York, the cost of production and distribution thereof, the income derived therefrom, and all other information now in their possession with reference to the price of gas in such wards of the borough of Queens aforesaid.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to notice, Mr. Adler called up his resolution in relation to the proposition of a State budget, introduced January 27th.

Said resolution having been announced,

Debate was had thereon.

On motion of Mr. Cuvillier, said bill was referred to the committee on ways and means.

Mr. Sufrin gives notice that on Monday, February 10th, he will call up the resolution introduced by him on Monday, January 27th, relating to the Jews in Roumania.

Mr. Hamilton gives notice that on Monday night, February 10, 1913, he will call up his resolution in relation to Panama canal tolls, introduced February 3d, laid over under the rule.

The privileges of the floor were extended to Mr. Edwards of Onondaga, Mr. Talmadge of Suffolk and Mr. James A. Bell.

On motion of Mr. Levy, the House adjourned.

## TUESDAY, FEBRUARY 4, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Leitzell.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Benninger introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to peace officers" (Int. No. 743), which was read the first time and referred to the committee on codes.

Mr. Dox, by request, introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to costs and fees" (Int. No. 744), which was read the first time and referred to the committee on codes.

Also, by request, "An act to amend the Code of Criminal Procedure, relating to the jurisdiction of the county courts of the counties of Albany and Ulster" (Int. No. 745), which was read the first time and referred to the committee on codes.

Mr. Schaap introduced a bill entitled "An act establishing the minimum wage commission and providing for the determination of minimum wages for women" (Int. No. 746), which was read the first time and referred to the committee on ways and means.

Mr. T. K. Smith introduced a bill entitled "An act to amend chapter eight hundred and fifty-eight of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' relative to the time of filing statement of unpaid taxes by the county treasurer of Onondaga county" (Int. No. 747), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the County Law, in relation to the establishment of county hospital for tuberculosis" (Int. No. 748), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Real Property Law, in relation to cemetery lands" (Int. No. 749), which was read the first time and referred to the committee on the judiciary.



Mr. Sufrin introduced a bill entitled "An act to amend the Election Law, in relation to the manner of voting" (Int. No. 750), which was read the first time and referred to the committee on the judiciary.

Mr. Telford introduced a bill entitled "An act to amend the Education Law, in relation to the establishment of a State school of agriculture and domestic science and kindred subjects at Delhi, Delaware county, providing for its management and control, and making an appropriation therefor" (Int. No. 751), which was read the first time and referred to the committee on ways and means.

Mr. Kennedy introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to costs and fees" (Int. No. 752), which was read the first time and referred to the committee on codes.

Mr. Telford introduced a bill entitled "An act to provide for the acquisition of land for a game farm in the county of Delaware, and making an appropriation therefor" (Int. No. 753), which was read the first time and referred to the committee on ways and means.

Mr. Walker introduced a bill entitled "An act to amend the Greater New York charter, in relation to the payment of salaries" (Int. No. 754), which was read the first time and referred to the committee on affairs of cities.

Mr. Yard introduced a bill entitled "An act to amend the Judiciary Law, in relation to clerks and similar officers serving as referees and legal representatives" (Int. No. 755), which was read the first time and referred to the committee on the judiciary.

Mr. Fitzgerald introduced a bill entitled "An act to amend chapter two hundred and thirty-nine of the Laws of eighteen hundred and fifty-nine, entitled 'An act in relation to Grosvenor library of the city of Buffalo,' as amended by chapter one hundred and sixty of the Laws of eighteen hundred and sixty-one, and chapter three hundred and thirty-three of the Laws of nineteen hundred and eight, in relation to the powers of the trustees of said library" (Int. No. 756), which was read the first time and referred to the committee on affairs of cities.

Mr. Esquirol introduced a bill entitled "An act to amend the

General City Law, in relation to the construction or the alteration of buildings in cities of the first class" (Int. No. 757), which was read the first time and referred to the committee on general laws.

Mr. Cole introduced a bill entitled "An act to provide for the payment of twenty-five hundred dollars and interest to Emma L. Hood upon her executing a deed to the state of certain premises, and making an appropriation therefor" (Int. No. 758), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the County Law, in relation to the designation of newspapers for the publication of the Session Laws, election notices and official canvass" (Int. No. 759), which was read the first time and referred to the committee on internal affairs.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation." (No. 503, Int. No. 206.)

"An act to amend the Town Law, in relation to the compensation of town officers." (No. 553, Int. No. 105.)

The bill (No. 422, Int. No. 420) entitled "An act to amend the Code of Criminal Procedure, in relation to new trials," having been announced,

Mr. Knight moved to amend as follows:

Page 1, line 6, strike out the brackets and the words "prior to", enclose the word "one" in brackets, and after the bracket following such word "one" insert in italics "three".

Line 7, strike out "the expiration of the term of sentence".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 662, Int. No. 160) entitled "An act to amend the Code of Criminal Procedure, in relation to the admission of defendants to bail," was read the second time.

On motion of Mr. A. Greenberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 657, Int. No. 25) entitled "An act to amend the General Business Law, in relation to the approval of the type of weighing and measuring devices," having been announced for a second reading,

On motion of Mr. Gurnett, said bill was recommitted to the committee on general laws, retaining its place on the order of second reading.

The bill (No. 658, Int. No. 91) entitled "An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign insurance corporation," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 659, Int. No. 99) entitled "An act to amend the Insurance Law, in relation to agents," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 660, Int. No. 150) entitled "An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 661, Int. No. 36) entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," having been announced,

Mr. Jackson moved to amend as follows:

Page 2, line 26, strike out all words after word "Commissioners".

Page 3, line 1, strike out words "State of New York."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 421, Int. No. 419) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to body execution for the non-payment of certain judgments of the municipal court," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 243, Int. No. 240) entitled "An act to amend the Education Law, relative to contracts for the instruction of pupils," was read the second time.

On motion of Mr. Hover, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 502, Int. No. 497) entitled "An act to amend the Education Law, in relation to annual meetings of school districts," was read the second time.

On motion of Mr. McCollum, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 430, Int. No. 425) entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hover	McCollum	Smith J A
Allen	Eisner	Hughes	McDaniels	Smith M
Baumes	Emden	Ingram	McElligott	Smith T K
Baxter	Esquirol	Jackson	McGrath	Squire
Benninger	Evans	Jones	McKee	Sufrin
Bovie	Fallon	Jude	McKeon	Sutphin
Bradley	Farrell	Kane	McMahon	Sweet
Brereton	Fitzgerald	Kelly J A	Monahan	Tallett
Brewster	Finnigan	Kelly J J	Norton	Taylor F J

Bryant	Fuller	Kelly J D	O'Brien	Taylor T D
Burden	Gage	Kelly P J	O'Connor	Telford
Bush	Gallup	Kenney	Oxford	Tudor
Butts	Garvey	Kennedy	Patrie	Van Woert
Carroll	Gathright	Kiernan	Pembleton	Vert
Caughlan	Geoghan	Knight	Pullman	Volk
Cole	Geyer	Knott	Richardson	Walker
Cotillo	Gibbs	Kornobis	Robinson	Ward
Cronin	Gillett	Larrimer	Schaap	Webb
Cuvillier	Goldberg	Levy	Schnirel	Weil
Daley	Grace	Lewis	Schwarz	Willmott
Deitz	Grimme	Macdonald	Seaker	Wood
Denney	Gurnett	Machold	Seely J L	Ulrich
Donohue	Hammer	Madden	Seelye G T	Yale
Dorst	Hinman	Magee	Shepardson	Yard
Doty	Hopkins	Malone	Silverstein	Yeomans
Dox	Horton	Maloney	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 433, Int. No. 428) entitled "An act to amend the Code of Civil Procedure, in relation to the fees for publication of legal notices and advertisements required by law," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hover	McCollum	Smith J A
Allen	Eisner	Hughes	McDaniels	Smith M
Baumes	Emden	Ingram	McElligott	Smith T K
Baxter	Esquirol	Jackson	McGrath	Squire
Benninger	Evans	Jones	McKee	Sufrin
Bovie	Fallon	Jude	McKeon	Sutphin
Bradley	Farrell	Kane	McMahon	Sweet
Brereton	Fitzgerald	Kelly J A	Monahan	Tallett
Brewster	Finnigan	Kelly J J	Norton	Taylor F J
Bryant	Fuller	Kelly J D	O'Brien	Taylor T D
Burden	Gage	Kelly P J	O'Connor	Telford
Bush	Gallup	Kenney	Oxford	Tudor
Butts	Garvey	Kennedy	Patrie	Van Woert
Carroll	Gathright	Kiernan	Pembleton	Vert
Caughlan	Geoghan	Knight	Pullman	Volk
Cole	Geyer	Knott	Richardson	Walker
Cotillo	Gibbs	Kornobis	Robinson	Ward
Cronin	Gillett	Larrimer	Schaap	Webb
Cuvillier	Goldberg	Levy	Schnirel	Weil

Daley	Grace	Lewis	Schwarz	Willmott
Deitz	Grimme	Macdonald	Seaker	Wood
Denney	Gurnett	Machold	Seely J L	Ulrich
Donohue	Hammer	Madden	Seelye G T	Yale
Dorst	Hinman	Magee	Shepardson	Yard
Doty	Hopkins	Malone	Silverstein	Yeomans
Dox	Horton	Maloney	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 129, Int. No. 129) entitled "An act to provide for deepening and widening of the channel of the Peconic river from Indian island to Riverhead town dock in the county of Suffolk, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hover	McCollum	Smith J A
Allen	Eisner	Hughes	McDaniels	Smith M
Baumes	Emden	Ingram	McElligott	Smith T K
Baxter	Esquirol	Jackson	McGrath	Squire
Benninger	Evans	Jones	McKee	Sufrin
Bovie	Fallon	Jude	McKeon	Sutphin
Bradley	Farrell	Kane	McMahon	Sweet
Brereton	Fitzgerald	Kelly J A	Monahan	Tallett
Brewster	Finnigan	Kelly J J	Norton	Taylor F J
Bryant	Fuller	Kelly J D	O'Brien	Taylor T D
Burden	Gage	Kelly P J	O'Connor	Telford
Bush	Gallup	Kenney	Oxford	Tudor
Butts	Garvey	Kennedy	Patrie	Van Woert
Carroll	Gathright	Kiernan	Pembleton	Vert
Caughlan	Geoghan	Knight	Pullman	Volk
Cole	Geyer	Knott	Richardson	Walker
Cotillo	Gibbs	Kornobis	Robinson	Ward
Cronin	Gillett	Larrimer	Schaap	Webb
Cuvillier	Goldberg	Levy	Schnirel	Weil
Daley	Grace	Lewis	Schwarz	Willmott
Deitz	Grimme	Macdonald	Seaker	Wood
Denney	Gurnett	Machold	Seely J L	Ulrich
Donohue	Hammer	Madden	Seelye G T	Yale
Dorst	Hinman	Magee	Shepardson	Yard
Doty	Hopkins	Malone	Silverstein	Yeomans
Dox	Horton	Maloney	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 478, Int. No. 473) entitled "An act to amend the Code of Criminal Procedure, in relation to an order to compel a person to support a poor relative," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 129

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hover	McCollum	Smith J A
Allen	Eisner	Hughes	McDaniels	Smith M
Baumes	Emden	Ingram	McElligott	Smith T K
Baxter	Esquirol	Jackson	McGrath	Squire
Benninger	Evans	Jones	McKee	Sufrin
Bovie	Fallon	Jude	McKeon	Sutphin
Bradley	Farrell	Kane	McMahon	Sweet
Brereton	Fitzgerald	Kelly J A	Monahan	Tallett
Brewster	Finnigan	Kelly J J	Norton	Taylor F J
Bryant	Fuller	Kelly J D	O'Brien	Taylor T D
Burden	Gage	Kelly P J	O'Connor	Telford
Bush	Gallup	Kenney	Oxford	Tudor
Butts	Garvey	Kennedy	Patrie	Van Woert
Carroll	Gathright	Kiernan	Pembleton	Vert
Caughlan	Geoghan	Knight	Pullman	Volk
Cole	Geyer	Knott	Richardson	Walker
Cotillo	Gibbs	Kornobis	Robinson	Ward
Cronin	Gillett	Larrimer	Schaap	Webb
Cuvillier	Goldberg	Levy	Schnirel	Weil
Daley	Grace	Lewis	Schwarz	Willmott
Deitz	Grimme	Macdonald	Seaker	Wood
Denney	Gurnett	Machold	Seely J L	Ulrich
Donohue	Hammer	Madden	Seelye G T	Yale
Dorst	Hinman	Magee	Shepardson	Yard
Doty	Hopkins	Malone	Silverstein	Yeomans
Dox	Horton	Maloney	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

On motion of Mr. Levy, the House adjourned.

## WEDNESDAY, FEBRUARY 5, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Lewis, Rensselaer.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Berkshire Industrial Farm, which was laid upon the table and ordered printed.

(See Assembly Document No. 30.)

Also, the Second Annual Report of the State Fire Marshal, which was laid upon the table and ordered printed.

(See Senate Document No. 32.)

Mr. Jackson introduced a bill entitled "An act to build and equip a range of glass houses for teaching floriculture and vegetable-culture at the New York State College of Agriculture at Cornell University, making an appropriation therefor, and providing for the appointment of an advisory committee" (Int. No. 760), which was read the first time and referred to the committee on ways and means.

Mr. Adler introduced a bill entitled "An act to amend the Village Law, in relation to the police department" (Int. No. 761), which was read the first time and referred to the committee on affairs of villages.

Mr. Bovie introduced a bill entitled "An act to authorize the appointment of a commissioner of social welfare, prescribing his powers and duties and making an appropriation therefor" (Int. No. 762), which was read the first time and referred to the committee on ways and means.

Mr. Butts introduced a bill entitled "An act to amend the Village Law, in relation to underground electric conduits" (Int. No. 763), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Carroll introduced a bill entitled "An act to amend the Greater New York charter, in relation to the board of city record" (Int. No. 764), which was read the first time and referred to the committee on affairs of cities.

Mr. Emden introduced a bill entitled "An act to amend the



Benevolent Orders Law, in relation to the National Order of the Daughters of Isabella" (Int. No. 765), which was read the first time and referred to the committee on general laws.

Mr. Evans introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the fees of a justice of the peace" (Int. No. 766), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to jurors' fees in justice's court" (Int. No. 767), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Highway Law, in relation to the construction of State and county highways in villages" (Int. No. 768), which was read the first time and referred to the committee on internal affairs.

Mr. Goldberg introduced a bill entitled "An act to amend the Civil Service Law, in relation to taxpayer's action" (Int. No. 769), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Civil Service Law, with respect to the power of removal" (Int. No. 770), which was read the first time and referred to the committee on the judiciary.

Mr. Jackson introduced a bill entitled "An act to amend the Judiciary Law, in relation to the compensation of stenographers of the Supreme Court" (Int. No. 771), which was read the first time and referred to the committee on the judiciary.

Mr. Jude introduced a bill entitled "An act to amend the Election Law, in relation to nominations and primaries" (Int. No. 772), which was read the first time and referred to the committee on the judiciary.

Mr. Kerrigan introduced a bill entitled "An act to amend the Election Law, in relation to the assistance of blind voters in the preparation of their ballots" (Int. No. 773), which was read the first time and referred to the committee on the judiciary.

Mr. Levy introduced a bill entitled "An act to create the children's bureau of the city of New York, to define its powers and duties, superseding the jurisdiction of inferior courts of criminal jurisdiction in relation to children in such city and applying the provisions of chapter six hundred and fifty-nine of

the Laws of nineteen hundred and ten, relating to jurisdiction and practice" (Int. No. 774), which was read the first time and referred to the committee on codes.

Mr. Madden introduced a bill entitled "An act to amend chapter five hundred and twenty-six of the Laws of nineteen hundred and ten, entitled 'An act providing for the construction of buildings and improvements for the New York State Training School for Boys, and making an appropriation therefor,' in relation to the allowance of fees and disbursements for witnesses in proceedings to acquire lands for the use of said institution" (Int. No. 775), which was read the first time and referred to the committee on ways and means.

Mr. Malone introduced a bill entitled "An act to amend section seven hundred and thirty-nine of the Code of Criminal Procedure of the State of New York, in relation to actions on forfeited undertaking" (Int. No. 776), which was read the first time and referred to the committee on codes.

Mr. McCollum introduced a bill entitled "An act to provide for the improvement of Sawyers creek in the city of North Tonawanda and the town of Wheatfield, Niagara county, and making an appropriation therefor" (Int. No. 777), which was read the first time and referred to the committee on ways and means.

Mr. McCue introduced a bill entitled "An act to amend the Railroad Law, in relation to the care of parcels" (Int. No. 778), which was read the first time and referred to the committee on railroads.

Mr. McElligott introduced a bill entitled "An act to amend the Judiciary Law, in relation to the salary of stenographers of the court of general sessions of the peace in and for the county of New York" (Int. No. 779), which was read the first time and referred to the committee on the judiciary.

Mr. Oxford introduced a bill entitled "An act to amend chapter eight hundred and fifty-five of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity and providing for their compensation,' in relation to the services prerequisite to such retirement, and to

voluntary retirement " (Int. No. 780), which was read the first time and referred to the committee on the judiciary.

Mr. Pendleton introduced a bill entitled "An act to amend the Penal Law, in relation to punishment for burglary" (Int. No. 781), which was read the first time and referred to the committee on codes.

Mr. Robinson introduced a bill entitled "An act to provide for a public park at Lake Ronkonkoma in Suffolk county, New York, for the perpetual enjoyment of the people of the State and to preserve in it its natural condition of scenic beauty" (Int. No. 782), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Education Law, in relation to the assessment of real property for school district taxes" (Int. No. 783), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Tax Law, in relation to the collection of taxes" (Int. No. 784), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Sweet introduced a bill entitled "An act to provide for the location of a State hospital for the insane in the fifth judicial district, and making an appropriation therefor" (Int. No. 785), which was read the first time and referred to the committee on ways and means.

Also, "An act to provide for making improvements at Fort Brewerton, and making an appropriation therefor" (Int. No. 786), which was read the first time and referred to the committee on ways and means.

Mr. Wood introduced a bill entitled "An act to amend the Conservation Law, in relation to the open season for wild deer, and number to be taken" (Int. No. 787), which was read the first time and referred to the committee on conservation.

Mr. Fuller introduced a bill entitled "An act to authorize the construction of a new bridge with sidewalks over the old Erie canal at South James street, in the city of Rome, and making an appropriation therefor" (Int. No. 788), which was read the first time and referred to the committee on ways and means.

Mr. Knott, by request, introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section two of article one of the Constitution, in relation to the jurisdiction of the Court of Appeals" (Int. No. 789), which was read the first time and referred to the committee on the judiciary.

Also, by request, "Concurrent resolution of the Senate and Assembly proposing an amendment to section nine of article six of the Constitution, in relation to the jurisdiction of the Court of Appeals" (Int. No. 790), which was read the first time and referred to the committee on the judiciary.

Also, by request, "Concurrent resolution of the Senate and Assembly proposing an amendment to section six of article one of the Constitution, in relation to the bill of rights" (Int. No. 791), which was read the first time and referred to the committee on the judiciary.

Mr. Schifferdecker introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to persons to whom liquor shall not be sold or given away; and in relation to illegal sales and selling" (Int. No. 792), which was read the first time and referred to the committee on excise.

Mr. McCue introduced a bill entitled "An act to amend the Greater New York charter, in relation to the uniformed force of the fire department" (Int. No. 793), which was read the first time and referred to the committee on affairs of cities.

Mr. Cole introduced a bill entitled "An act to amend the Railroad Law, in relation to requiring railroad corporations to accept and transport all goods or merchandise offered to it" (Int. No. 794), which was read the first time and referred to the committee on railroads.

Mr. Hinman introduced a bill entitled "An act relating to the management and investment of the moneys and property constituting any endowment fund of 'The rector and inhabitants of the city of Albany,' in communion of the Protestant Episcopal Church of the State of New York, generally, known as St. Peter's Church of the city of Albany" (Int. No. 795), which was read the first time and referred to the committee on the judiciary.

Mr. Bovie introduced a bill entitled "An act to amend the

Village Law, in relation to the compensation of collectors" (Int. No. 796), which was read the first time and referred to the committee on affairs of villages.

Mr. Lewis introduced a bill entitled "An act to amend chapter one hundred and two of the Laws of eighteen hundred and ninety-three, entitled 'An act to lay out, establish and regulate a public driveway in the city of New York,' in relation to the use thereof" (Int. No. 797), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Cronin (No. 121, Int. No. 121), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the county courts."

Also, Assembly bill introduced by Mr. Levy (No. 710, Int. No. 684), entitled "An act to amend chapter fifty-one of the Laws of nineteen hundred and nine, entitled 'An act in relation to public officers, constituting chapter forty-seven of the Consolidated Laws,' known as the Public Officers Law."

Also, Assembly bill introduced by Mr. Rozan (No. 107, Int. No. 107), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' as amended by chapter three hundred and thirty-nine of the Laws of nineteen hundred and ten, in relation to compensation of jurors in said court."

Also, Assembly bill introduced by Mr. Machold (No. 600, Int. No. 586), entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds."

Also, Assembly bill introduced by Mr. J. L. Seely (No. 213, Int. No. 210), entitled "An act to amend the Judiciary Law, in relation to Special Terms of the Supreme Court," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was recommitted Assembly bill introduced by Mr. Maloney (No. 611, Int. No. 114), entitled "An act to amend the Membership

Corporations Law, to prohibit the formation of cemetery corporations to operate in the county of Nassau, and to prohibit the acquiring, setting apart or using of land for cemetery purposes in said county except for family cemeteries," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Tallett (No. 561, Int. No. 547), entitled "An act to amend the charter of the city of Oneida, in relation to the payment of claims," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Carswell (No. 207, Rec. No. 4), entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to exempted parts of the borough of Brooklyn, city of New York," reported the same with the following amendments:

Page 4, line 4, after the word "of" insert "that portion of the".

Line 5, after the word "places" insert "in the foregoing territory", and after the word "upon" insert "or through".

Line 13, after "Waverly avenue" insert "St. James place, Cambridge place".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Geyer (No. 503, Int. No. 206), entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation."

Also, the bill introduced by Mr. McCollum (No. 502, Int. No. 497), entitled "An act to amend the Education Law, in relation to annual meetings of school districts."

Also, the bill introduced by Mr. Hover (No. 243, Int. No. 240), entitled "An act to amend the Education Law, relative to contracts for the instruction of pupils."

Also, the bill introduced by Mr. Hover (No. 607, Int. No. 350), entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue bonds of the city therefor."

Also, the bill introduced by Mr. Gallup (No. 188, Int. No. 185), entitled "An act to legalize bonds of the village of Brockport, Monroe county, New York, not exceeding two hundred and seventy-five thousand dollars in amount, for the purpose of establishing a system of water works and procuring the necessary water for fire protection and domestic purposes in and for said village, and to provide for the payment of the principal and interest of said bonds."

Also, the bill introduced by Mr. A. Greenberg (No. 662, Int. No. 160), entitled "An act to amend the Code of Criminal Procedure, in relation to the admission of defendants to bail."

Also, the bill introduced by Mr. Walker (No. 96, Int. No. 96), entitled "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations."

Also, the bill introduced by Mr. Hughes (No. 608, Int. No. 123), entitled "An act to amend the Village Law, in relation to boards of commissioners."

Also, the bill introduced by Mr. Walker (No. 658, Int. No. 91), entitled "An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign insurance corporation."

Also, the bill introduced by Mr. Walker (No. 659, Int. No. 99), entitled "An act to amend the Insurance Law, in relation to agents," reported the same without recommendation, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Walker (No. 93, Int. No.



93), entitled "An act to amend the Insurance Law, in relation to brokers," reported the same with the following recommendation:

Page 1, line 3, at the end thereof, insert "as amended by chapter six hundred and thirty-eight of the Laws of nineteen hundred and ten,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Walker (No. 660, Int. No. 150), entitled "An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance," reported the same with the following recommendations:

Page 3, line 24, after "association " insert comma.

Page 4, line 19, after " adjuster " insert " s ".

Page 5, line 12, strike out " the " after " vision of " and insert " this ".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Levy (No. 609, Int. No. 268), entitled "An act to amend section two of the State Law, in relation to boundary lines between the State of New York and the State of Connecticut," reported the same with the following recommendations:

Page 1, line 7, after the first comma, insert " as amended by chapter three hundred fifty-two of the Laws of nineteen hundred and twelve,".

Page 6, line 19, after ".173 " strike out " ; " and insert comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to authorize the city of Hudson to borrow money for street improvements, and to issue bonds of the city therefor." (No. 607, Int. No. 350.)

"An act to amend the Village Law, in relation to boards of commissioners." (No. 608, Int. No. 123.)



“An act to amend the Education Law, in relation to annual meetings of school districts.” (No. 502, Int. No. 497.)

“An act to legalize bonds of the village of Brockport, Monroe county, New York, not exceeding two hundred and seventy-five thousand dollars in amount, for the purpose of establishing a system of water works and procuring the necessary water for fire protection and domestic purposes in and for said village, and to provide for the payment of the principal and interest of said bonds.” (No. 188, Int. No. 185.)

“An act to amend the Code of Criminal Procedure, in relation to the admission of defendants to bail.” (No. 662, Int. No. 160.)

“An act to amend the Insurance Law, in relation to agents.” (No. 659, Int. No. 99.)

“An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign insurance corporation.” (No. 658, Int. No. 91.)

“An act to amend the Education Law, relative to contracts for the instruction of pupils.” (No. 243, Int. No. 240.)

The bill (No. 188, Int. No. 185) entitled “An act to legalize bonds of the village of Brockport, Monroe county, New York, not exceeding two hundred and seventy thousand dollars in amount, for the purpose of establishing a system of water works and procuring the necessary water for fire protection and domestic purposes in and for said village, and to provide for the payment of the principal and interest of said bonds,” was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCollum	Small
Allen	Edwards	Hover	McDaniels	Smith A E
Baumes	Eisner	Hughes	McElligott	Smith J A
Baxter	Emden	Ingram	McGrath	Smith M
Benninger	Esquirol	Jackson	McKee	Smith T K
Bovie	Evans	Jones	McKeon	Squire
Bradley	Farrell	Jude	McMahon	Sufrin
Brereton	Fitzgerald	Kane	Monahan	Sutphin
Brewster	Finnigan	Kelly J A	Norton	Sweet
Bryant	Fuller	Kelly J D	O'Brien	Tallett
Burden	Gage	Kelly P J	O'Connor	Taylor F J
Burr	Gallup	Kenney	Oxford	Taylor T D
Bush	Garvey	Kennedy	Patrie	Telford
Butts	Gathright	Kerrigan	Pembleton	Tudor
Carroll	Geoghan	Kiernan	Pullman	Van Woert
Carver	Geyer	Knight	Richardson	Vert
Caughlan	Gibbs	Knott	Robinson	Volk
Cole	Gillett	Kornobis	Rozan	Walker
Cotillo	Goldberg	Larrimer	Schaap	Webb
Cronin	Grace	Levy	Schifferdecker	Weil
Cuvillier	Grimme	Lewis	Schnirel	Willard
Daley	Gurnett	Macdonald	Schwarz	Willmott
Dennen	Hammer	Madden	Seaker	Wood
Denney	Hearn	Magee	Seely J L	Ulrich
Donohue	Heyman	Malone	Seelye G T	Yale
Dorst	Hinman	Maloney	Shepardson	Yard
Doty	Hopkins	McCue	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 503, Int. No. 206) entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 607, Int. No. 350) entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue bonds of the city therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCollum	Small
Allen	Edwards	Hover	McDaniels	Smith J A
Baumes	Eisner	Hughes	McElligott	Smith M
Baxter	Emden	Ingram	McGrath	Smith T K
Benninger	Esquirol	Jackson	McKee	Squire
Bovie	Evans	Jones	McKeon	Sufrin
Bradley	Farrell	Jude	McMahon	Sutphin
Brereton	Fitzgerald	Kane	Monahan	Sweet
Brewster	Finnigan	Kelly J A	Norton	Tallett
Bryant	Fuller	Kelly J D	O'Brien	Taylor F J
Burden	Gage	Kelly P J	O'Connor	Taylor T D
Burr	Gallup	Kenney	Oxford	Telford
Bush	Garvey	Kennedy	Patrie	Tudor
Butts	Gathright	Kerrigan	Pembleton	Van Woert
Carroll	Geoghan	Kiernan	Pullman	Vert
Carver	Geyer	Knight	Richardson	Volk
Caughlan	Gibbs	Knott	Robinson	Walker
Cole	Gillett	Kornobis	Rozan	Webb
Cotillo	Goldberg	Larrimer	Schaap	Weil
Cronin	Grace	Levy	Schifferdecker	Willard
Cuvillier	Grimme	Lewis	Schnirel	Willmott
Daley	Gurnett	Macdonald	Schwarz	Wood
Dennen	Hammer	Madden	Seaker	Ulrich
Denney	Hearn	Magee	Seely J L	Yale
Donohue	Heyman	Malone	Seelye G T	Yard
Dorst	Hinman	Maloney	Shepardson	Yeomans
Doty	Hopkins	McCue	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 608, Int. No. 123) entitled "An act to amend the Village Law, in relation to boards of commissioners," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCollum	Small
Allen	Edwards	Hover	McDaniels	Smith J A
Baumes	Eisner	Hughes	McElligott	Smith M
Baxter	Emden	Ingram	McGrath	Smith T K
Benninger	Esquirol	Jackson	McKee	Squire
Bovie	Evans	Jones	McKeon	Sufrin
Bradley	Farrell	Jude	McMahon	Sutphin
Brereton	Fitzgerald	Kane	Monahan	Sweet
Brewster	Finnigan	Kelly J A	Norton	Tallett
Bryant	Fuller	Kelly J D	O'Brien	Taylor F J
Burden	Gage	Kelly P J	O'Connor	Taylor T D
Burr	Gallup	Kenney	Oxford	Telford
Bush	Garvey	Kennedy	Patrie	Tudor
Butts	Gathright	Kerrigan	Pembleton	Van Woert
Carroll	Geoghan	Kiernan	Pullman	Vert
Carver	Geyer	Knight	Richardson	Volk
Caughlan	Gibbs	Knott	Robinson	Walker
Cole	Gillett	Kornobis	Rozan	Webb
Cotillo	Goldberg	Larrimer	Schaap	Weil
Cronin	Grace	Levy	Schifferdecker	Willard
Cuvillier	Grimme	Lewis	Schnirel	Willmott
Daley	Gurnett	Macdonald	Schwarz	Wood
Dennen	Hammer	Madden	Seaker	Ulrich
Denney	Hearn	Magee	Seely J L	Yale
Donohue	Heyman	Malone	Seelye G T	Yard
Dorst	Hinman	Maloney	Shepardson	Yeomans
Doty	Hopkins	McCue	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 502, Int. No. 497) entitled "An act to amend the Education Law, in relation to annual meetings of school districts," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCollum	Small
Allen	Edwards	Hover	McDaniels	Smith J A
Baumes	Eisner	Hughes	McElligott	Smith M
Baxter	Emden	Ingram	McGrath	Smith T K
Benninger	Esquirol	Jackson	McKee	Squire

Bovie	Evans	Jones	McKeon	Sufrin
Bradley	Farrell	Jude	McMahon	Sutphin
Brereton	Fitzgerald	Kane	Monahan	Sweet
Brewster	Finnigan	Kelly J A	Norton	Tallett
Bryant	Fuller	Kelly J D	O'Brien	Taylor F J
Burden	Gage	Kelly P J	O'Connor	Taylor T D
Burr	Gallup	Kenney	Oxford	Telford
Bush	Garvey	Kennedy	Patrie	Tudor
Butts	Gathright	Kerrigan	Pembleton	Van Woert
Carroll	Geyer	Kiernan	Pullman	Vert
Carver	Geoghan	Knight	Richardson	Volk
Caughlan	Gibbs	Knott	Robinson	Walker
Cole	Gillett	Kornobis	Rozan	Webb
Cotillo	Goldberg	Larrimer	Schaap	Weil
Cronin	Grace	Levy	Schifferdecker	Willard
Cuvillier	Grimme	Lewis	Schnirel	Willmott
Daley	Gurnett	Macdonald	Schwarz	Wood
Dennen	Hammer	Madden	Seaker	Ulrich
Denney	Hearn	Magee	Seely J L	Yale
Donohue	Heyman	Malone	Seelye G T	Yard
Dorst	Hinman	Maloney	Shepardson	Yeomans
Doty	Hopkins	McCue	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February 4, 1913.*

Resolved (if the Assembly concur), That at the hour of twelve o'clock, noon, on Wednesday, February 12, 1913, the Senate and Assembly meet in joint convention, as provided by law, for the purpose of comparing nominations for the office of Regent of the University for the term of twelve years, in place of Hon. White-law Reid, of the city of New York, county of New York, deceased, whose term of office would have expired March 31, 1913.

By order of the Senate,

PATRICK E. McCABE,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with the message that the Assembly have concurred in the passage of the same.

Mr. Brewster offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on Soldiers' Home of the Assembly be paid and allowed their traveling and other necessary expenses in connection with the annual visit of such committee, in

the year nineteen hundred and thirteen, to the Soldiers' Homes at Bath and Oxford, to an amount not exceeding six hundred dollars, and that the same be paid by the State Treasurer upon the warrant of the Comptroller out of moneys appropriated for the contingent expenses of the Legislature, to the chairman of such committee, upon the requisition of the Clerk of the Assembly, accompanied with proper vouchers to be furnished by such chairman and approved by such Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCollum	Small
Allen	Edwards	Hover	McDaniels	Smith A E
Baumes	Eisner	Hughes	McElligott	Smith J A
Baxter	Emden	Ingram	McGrath	Smith M
Benninger	Esquirol	Jackson	McKee	Smith T K
Bovie	Evans	Jones	McKeon	Squire
Bradley	Farrell	Jude	McMahon	Sufrin
Brereton	Fitzgerald	Kane	Monahan	Sutphin
Brewster	Finnigan	Kelly J A	Norton	Sweet
Bryant	Fuller	Kelly J D	O'Brien	Tallett
Burden	Gage	Kelly P J	O'Connor	Taylor F J
Burr	Gallup	Kenney	Oxford	Taylor T D
Bush	Garvey	Kennedy	Patrie	Telford
Butts	Gathright	Kerrigan	Pembleton	Tudor
Carroll	Geoghan	Kiernan	Pullman	Van Woert
Carver	Geyer	Knight	Richardson	Vert
Caughlan	Gibbs	Knott	Robinson	Volk
Cole	Gillett	Kornobis	Rozan	Walker
Cotillo	Goldberg	Larrimer	Schaap	Webb
Cronin	Grace	Levy	Schifferdecker	Weil
Cuvillier	Grimme	Lewis	Schnirel	Willard
Daley	Gurnett	Macdonald	Schwarz	Willmott
Dennen	Hammer	Madden	Seaker	Wood
Denney	Hearn	Magee	Seely J L	Ulrich
Donohue	Heyman	Malone	Seelye G T	Yale
Dorst	Hinman	Maloney	Shepardson	Yard
Doty	Hopkins	McCue	Silverstein	Yeomans

Mr. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That on Tuesday, February 11th, at twelve o'clock, noon, the Assembly proceed to nominate a Regent of the University to succeed Hon. Whitelaw Reid of the city and county of New York, deceased, whose term of office would have expired March 31, 1913.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

The Senate returned the bill (No. 506, Int. No. 275) entitled "An act to amend the Greater New York charter, in relation to the department of parks."

Also, the bill (No. 464, Int. No. 459) entitled "An act to amend the Greater New York charter, in relation to the transfer of moneys from the general fund of the city to appropriate accounts for the purpose of adjusting deductions made under the provisions of the Tax Law referring to taxes upon special franchises."

Also, the bill (No. 463, Int. No. 458) entitled "An act to amend the Greater New York charter, in relation to the transfer and utilization of cash balances in corporate stock funds."

Also, the bill (No. 451, Int. No. 446) entitled "An act to amend the Greater New York charter, in relation to the disposition of the proceeds of certain personal property sold by the board of education."

Also, the bill (No. 445, Int. No. 440) entitled "An act to amend the Greater New York charter, in relation to the cancellation of certain assessments for public improvements levied against property belonging to the city."

Also, the bill (No. 303, Int. No. 299) entitled "An act to authorize and empower the city of New York to acquire a site beyond its territorial limits for use of The New York City Reformatory of Misdemeanants under the jurisdiction of the department of correction of the city of New York," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

On motion of Mr. Levy, the House adjourned.

## THURSDAY, FEBRUARY 6, 1913.

The House met pursuant to adjournment.

Prayer by Rev. C. J. A. King.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Domestic Relations Law, in relation to the adoption of a child directly from foster parents by either of such foster parents" (No. 401, Rec. No. 9), which was read the first time and referred to the committee on general laws.

"An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor" (No. 399, Rec. No. 10), which was read the first time.

On motion of Mr. Bush, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Bush, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Kerrigan	Pembleton
Allen	Dox	Horton	Maloney	Silverstein
Baumes	Edwards	Hover	McCue	Small
Baxter	Eisner	Hughes	McDaniels	Smith J A
Benninger	Emden	Ingram	McElligott	Smith M
Bovie	Esquirol	Jackson	McGrath	Smith T K
Bradley	Evans	Jones	McKee	Squire
Brereton	Fallon	Jude	McKeon	Sufrin
Brewster	Fitzgerald	Kane	McMahon	Sutphin
Bryant	Finnigan	Kelly J A	Monahan	Sweet
Burden	Fuller	Kelly J D	Norton	Tallett
Burr	Gage	Kelly P J	O'Brien	Taylor F J
Bush	Gallup	Kenney	O'Connor	Taylor T D
Butts	Garvey	Kennedy	Patrie	Telford



Tudor	Dorst	Kiernan	Pullman	Van Woert
Carroll	Gathright	Knight	Richardson	Vert
Carver	Geoghan	Knott	Robinson	Volk
Caughlan	Geyer	Kornobis	Rozan	Walker
Cole	Gillett	Larrimer	Schaap	Ward
Cotillo	Goldberg	Levy	Schifferdecker	Webb
Cuvillier	Grimme	Lewis	Schnirel	Weil
Daley	Gurnett	Macdonald	Schwarz	Wood
Deitz	Hamilton	Machold	Seaker	Ulrich
Dennen	Hammer	Madden	Seely J L	Yale
Denney	Hearn	Magee	Seelye G T	Yard
Donohue	Hinman	Malone	Shepardson	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend the Military Law, in relation to pay of officers serving on boards, commissions and courts” (No. 171, Rec. No. 11), which was read the first time and referred to the committee on military affairs.

“An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo and to prohibit corporations from acquiring such lands by condemnation” (No. 276, Rec. No. 12), which was read the first time.

On motion of Mr. Geyer, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Geyer, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 129

NOES 1

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Kane	Small
Allen	Dox	Hover	Kelly J A	Smith J A
Baun es	Edwards	Hughes	McDaniels	Smith M
Baxter	Eisner	Ingram	McElligott	Smith T K
Benninger	Emden	Jackson	McGrath	Squire
Bovie	Esquirol	Jones	McKee	Sufrin
Bradley	Evans	Jude	McKeon	Sutphin

Brereton	Fallon	Kelly J D	McMahon	Sweet
Brewster	Fitzgerald	Kelly P J	Monahan	Tallett
Bryant	Finnigan	Kenney	Norton	Taylor F J
Burden	Fuller	Kennedy	O'Brien	Taylor T D
Burr	Gage	Kerrigan	O'Connor	Telford
Bush	Gallup	Kiernan	Pembleton	Tudor
Butts	Garvey	Knight	Pullman	Van Woert
Carroll	Gathright	Knott	Richardson	Vert
Carver	Geoghan	Kornobis	Robinson	Volk
Caughlan	Geyer	Larrimer	Rozan	Walker
Cole	Gillett	Levy	Schaap	Ward
Cotillo	Goldberg	Lewis	Schifferdecker	Webb
Cuvillier	Grace	Macdonald	Schnirel	Weil
Daley	Grimme	Machold	Schwarz	Wood
Deitz	Gurnett	Madden	Seaker	Ulrich
Dennen	Hamilton	Magee	Seely J L	Yale
Denney	Hammer	Malone	Seelye G T	Yard
Donohue	Hearn	Maloney	Shepardson	Yeomans
Dorst	Hinman	McCue	Silverstein	

For the negative:

Patrie

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Insurance Law, in relation to brokers" (No. 56, Rec. No. 13), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to agents" (No. 359, Rec. No. 14), which was read the first time.

On motion of Mr. Walker, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Walker, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Maloney	Silverstein
Allen	Dox	Hover	McCue	Small
Baumes	Edwards	Hughes	McDaniels	Smith J A
Baxter	Eisner	Ingram	McElligott	Smith M

Benninger	Emden	Jackson	McGrath	Smith T K
Bovie	Esquirol	Jones	McKee	Squire
Bradley	Evans	Jude	McKeon	Sufrin
Brereton	Fallon	Kane	McMahon	Sutphin
Brewster	Fitzgerald	Kelly J A	Monahan	Sweet
Bryant	Finnigan	Kelly J D	Norton	Tallett
Burden	Fuller	Kelly P J	O'Brien	Taylor F J
Burr	Gage	Kenney	O'Connor	Taylor T D
Bush	Gallup	Kennedy	Patrie	Telford
Butts	Garvey	Kerrigan	Pembleton	Tudor
Carroll	Gathright	Kiernan	Pullman	Van Woert
Carver	Geoghan	Knight	Richardson	Vert
Caughlan	Geyer	Knott	Robinson	Volk
Cole	Gillett	Kornobis	Rozan	Walker
Cotillo	Goldberg	Larrimer	Schaap	Ward
Cuvillier	Grace	Levy	Schifferdecker	Webb
Daley	Grimme	Lewis	Schnirel	Weil
Deitz	Gurnett	Macdonald	Schwarz	Wood
Dernan	Hamilton	Machold	Seaker	Ulrich
Denney	Hammer	Madden	Seely J L	Yale
Donohue	Hearn	Magee	Seelye G T	Yard
Dorst	Hinman	Malone	Shepardson	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance” (No. 362, Rec. No. 15), which was read the first time and referred to the committee on insurance.

Mr. Bovie introduced a bill entitled “An act to amend the Village Law, in relation to street improvement” (Int. No. 798), which was read the first time and referred to the committee on affairs of villages.

Also, “An act to amend the Village Law, in relation to notices of completion of annual assessment roll” (Int. No. 799), which was read the first time and referred to the committee on affairs of villages.

Also, “An act to amend the Code of Civil Procedure, in relation to the compensation of condemnation commissioners” (Int. No. 800), which was read the first time and referred to the committee on codes.

Mr. Bush introduced a bill entitled “An act making an appropriation for the expenses incident to the proceeding entitled “The people of the State of New York, ex rel. Mary C. Thaw, against John W. Russell, medical superintendent of Matteawan

State Hospital" (Int. No. 801), which was read the first time and referred to the committee on ways and means.

Mr. Cotillo introduced a bill entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed" (Int. No. 802), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act to amend the Labor Law, relative to protection of employees operating machinery" (Int. No. 803), which was read the first time and referred to the committee on labor and industry.

Mr. Campbell introduced a bill entitled "An act to amend the Greater New York charter, in relation to examinations for promotions in the police and fire departments" (Int. No. 804), which was read the first time and referred to the committee on affairs of cities.

Mr. Dietz introduced a bill entitled "An act to amend the Greater New York charter, in relation to the examining board of plumbers of such city" (Int. No. 805), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the regulation and registration of plumbers" (Int. No. 806), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General City Law, in relation to plumbing in the city of New York" (Int. No. 807), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to repeal chapter eight hundred and three of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to plumbing in the city of New York'" (Int. No. 808), which was read the first time and referred to the committee on affairs of cities.

Mr. Donohue introduced a bill entitled "An act to amend chapter five hundred and twenty-three of the Laws of eighteen hundred and ninety, entitled 'An act in relation to the office of sheriff of the city and county of New York,' relative to clerks and their salaries" (Int. No. 809), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to appointment of magistrates, and to provide for paying the salaries of additional magistrates" (Int. No. 810), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Liquor Tax Law, in relation to bonds to be given, sales of liquor tax certificates, revocation proceedings and penalties for violations" (Int. No. 811), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to additional magistrates" (Int. No. 812), which was read the first time and referred to the committee on codes.

Mr. Ingram introduced a bill entitled "An act to amend the Greater New York charter, in relation to the members of the department of street cleaning" (Int. No. 813), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to amend the Election Law, so as to permit electors to register by affidavit under certain circumstances, by adding to article six of the Election Law a new section, to be numbered section one hundred eighty-five" (Int. No. 814), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Public Health Law, in relation to licensing barbers" (Int. No. 815), which was read the first time and referred to the committee on public health.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Lien Law, in relation to service of copy of notice" (Int. No. 816), which was read the first time and referred to the committee on general laws.

Mr. Levy introduced a bill entitled "An act to amend the Penal Law, in relation to transactions by brokers after insolvency and in the hypothecation of customers' securities" (Int. No. 817), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to false representations concerning securities" (Int. No. 818), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to bucket shops" (Int. No. 819), which was read the first time and referred to the committee on codes.

Also, "An act to suppress certain nuisances" (Int. No. 820), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the General Business Law, in relation to interest permitted on advances on collateral security, and repealing section seventy-five of the Banking Law relating thereto" (Int. No. 821), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Penal Law, in relation to the manipulation of prices of securities and conspiring movements to deceive the public" (Int. No. 822), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to reporting or publishing fictitious transactions in securities" (Int. No. 823), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to trading by brokers against customers' orders" (Int. No. 824), which was read the first time and referred to the committee on codes.

Mr. Madden introduced a bill entitled "An act to amend the Prison Law, in relation to the earnings of prisoners" (Int. No. 825), which was read the first time and referred to the committee on penal institutions.

Also, "An act to amend the Prison Law, in relation to the labor of prisoners" (Int. No. 826), which was read the first time and referred to the committee on penal institutions.

Also, "An act to amend the State Boards and Commission Law, in relation to the State Probation and Parole Commission" (Int. No. 827), which was read the first time and referred to the committee on penal institutions.

Also, "An act to amend the Prison Law, in relation to the sale of prison products" (Int. No. 828), which was read the first time and referred to the committee on penal institutions.

Mr. O'Connor introduced a bill entitled "An act to amend the Greater New York charter, in relation to salaries of members of

the teaching staffs of the board of education " (Int. No. 829), which was read the first time and referred to the committee on affairs of cities.

Mr. Phillips introduced a bill entitled "An act to amend chapter one hundred and thirty-four of the Laws of eighteen hundred and ninety-one, entitled 'An act to incorporate the Church Insurance Association,' generally " (Int. No. 830), which was read the first time and referred to the committee on the judiciary.

Mr. Schifferdecker introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to illegal sales and selling " (Int. No. 831), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Greater New York charter, in relation to autopsies at the New York city children's hospital and schools at Randall's island " (Int. No. 832), which was read the first time and referred to the committee on affairs of cities.

Mr. Ward introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to districts in which certain causes may be tried " (Int. No. 833), which was read the first time and referred to the committee on codes.

Mr. Burr introduced a bill entitled "An act to amend the Executive Law, in relation to notaries public in counties having registers " (Int. No. 834), which was read the first time and referred to the committee on the judiciary.

Mr. Gage introduced a bill entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and nine, entitled 'An act relating to towns, constituting chapter sixty-two of the Consolidated Laws " (Int. No. 835), which was read the first time and referred to the committee on internal affairs.

Mr. Caughlan introduced a bill entitled "An act to amend the Greater New York charter, in relation to the retirement of civil employees from active service " (Int. No. 836), which was read the first time and referred to the committee on affairs of cities.

Mr. Weil introduced a bill entitled "An act to amend the Greater New York charter, in relation to retirement from active

service of officers, clerks and employees " (Int. No. 837), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to removal of deputy clerks, assistants and stenographers in the city court of the city of New York " (Int. No. 838), which was read the first time and referred to the committee on codes.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to proceedings for street openings " (Int. No. 839), which was read the first time and referred to the committee on affairs of cities.

Mr. Lewis introduced a bill entitled "An act to provide for the excavation and construction of a shaft and the erection, installation and operation of an elevator connecting Fort Washington avenue and a tunnel street from Bennett avenue at One Hundred and Ninth street to Riverside drive, and for assessing the cost and expense thereof upon the property benefitted " (Int. No. 840), which was read the first time and referred to the committee on affairs of cities.

Mr. Hamilton introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail " (Int. No. 841), which was read the first time and referred to the committee on codes.

Mr. Vert introduced a bill entitled "An act to amend the Conservation Law, in relation to the sale of trout raised in private hatcheries " (Int. No. 842), which was read the first time and referred to the committee on conservation.

Mr. Squire introduced a bill entitled "An act to amend chapter one hundred and eighty-three of the Laws of nineteen hundred and seven, entitled 'An act to establish a police pension fund for the city of Schenectady, New York,' in relation to the composition and distribution of such fund " (Int. No. 843), which was read the first time and referred to the committee on affairs of cities.

Mr. Silverstein introduced a bill entitled "An act to amend the Military Law, in relation to the use of armories " (Int. No. 844), which was read the first time and referred to the committee on military affairs.



Mr. Emden introduced a bill entitled "An act to amend the Tax Law, in relation to the place of taxation of property of corporations" (Int. No. 845), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Kerrigan introduced a bill entitled "An act to amend the Labor Law, in relation to the use of compressed air in caissons, tunnels, and other works and laborers employed" (Int. No. 846), which was read the first time and referred to the committee on labor and industries.

Mr. Evans introduced a bill entitled "An act to amend the Highway Law, in relation to the construction of county highways by towns" (Int. No. 847), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Railroad Law, in relation to uniforms and badges of employees" (Int. No. 848), which was read the first time and referred to the committee on railroads.

Also, "An act to amend the Conservation Law, in relation to hooking suckers through the ice in Sullivan county" (Int. No. 849), which was read the first time and referred to the committee on conservation.

Mr. O'Brien introduced a bill entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages" (Int. No. 850), which was read the first time and referred to the committee on internal affairs.

Mr. Bovie introduced a bill entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle, in relation to the board of public works of the city of New Rochelle'" (Int. No. 851), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle" (Int. No. 852), which was read the first time and referred to the committee on affairs of cities.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty" (Int. No. 853), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Executive Law, in relation to the non-payment of fees by certain State officers in certain cases" (Int. No. 854), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Insanity Law, in relation to applications for a writ of habeas corpus" (Int. No. 855), which was read the first time and referred to the committee on the judiciary.

Mr. Geoghan introduced a bill entitled "An act granting to A. F. Eells and others the right to construct a dam across the Niagara river at Goat island and exercise certain other rights in respect of such river, Niagara falls and adjacent lands, and the transmission of electricity" (Int. No. 856), which was read the first time and referred to the committee on the judiciary.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to preference in applications for letters of administration" (Int. No. 857), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Tax Law, in relation to proceedings to review special franchise tax assessments" (Int. No. 858), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill, introduced by Mr. Bush (No. 467, Int. No. 462), entitled "An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor."

Also, Assembly bill introduced by Mr. J. A. Smith (No. 327, Int. No. 323), entitled "An act to provide for the purchase of a portrait of Silas Wright for the Executive Chamber, and making appropriation therefor."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 217, Int. No. 214), entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to

provide for the selection, location, appropriation and management of certain lands along the palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the palisades,' as amended by chapter six hundred and ninety-one of the Laws of nineteen hundred and six, and as further amended by chapter three hundred and sixty-one of the laws of nineteen hundred and ten."

Also, Assembly bill introduced by Mr. Hughes (No. 214, Int. No. 211), entitled "An act to provide for the repair of the public dock at Willard, Seneca county, used by the Willard State Hospital and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Van Woert (No. 655, Int. No. 635), entitled "An act to provide for the construction of a bridge over the Black river and Moose river at Lyons Falls, in the county of Lewis, and making appropriations and reappropriations therefor."

Also, Assembly bill introduced by Mr. McDaniels (No. 726, Int. No. 698), entitled "An act providing for the development and extension of the New York State Veterinary College at Cornell University, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Kennedy (No. 444, Int. No. 439), entitled "An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity, and providing for the improvement thereof," reported in favor of the passage of the same without amendment, which report was agreed to and said bills placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. Carroll (No. 429, Int. No. 424), entitled "An act to amend the Code of Civil Procedure, in relation to service of petition in summary proceedings."

Also, Assembly bill introduced by Mr. Deitz (No. 704, Int. No. 678), entitled "An act to extend the time for making the final report of the commissioners designated to consolidate, codify and revise the laws, relating to the estates of deceased persons and the procedure and practice in surrogates' courts."

Also, Assembly bill introduced by Mr. Carroll (No. 428, Int.

No. 423), entitled "An act to amend the Code of Civil Procedure, in relation to distributive shares of infants."

Also, Assembly bill introduced by Mr. Knight (No. 113, Int. No. 113), entitled "An act to amend the Code of Criminal Procedure in relation to recovering on forfeited bail."

Also, Assembly bill introduced by Mr. Dennen (No. 222, Int. No. 219), entitled "An act to amend the Penal Law, in relation to Sunday baseball," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 702, Int. No. 676) introduced by Mr. Silverstein, entitled "An act to amend chapter five hundred and eighty of the laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to fees for service of process," reported in favor of the passage of the same, with the following amendment:

On page 2, at line 6, strike out the words "in summary proceedings."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 61, Int. No. 61), introduced by Mr. Schwarz, entitled "An act to amend the Code of Civil Procedure, relative to the manner of serving citations on judicial accounting where the number of persons to be served exceeds two hundred and fifty," reported in favor of the passage of the same, with the following amendments:

Page 1, in the title of the bill, strike out the words "two hundred and".

Page 2, line 3, strike out all of line 3 after the word "day", and all of lines 4, 5, 6, 7, 8, 9, 10 and 11, except the word "A" in line 11.

Page 2, at the end of line 18, insert in italic the following: "Upon an accounting or judicial settlement of an executor or administrator, where the number of creditors or persons claiming to be creditors, residing within the State of New York, upon whom citation is required to be served, exceeds fifty, service thereof may be made upon them by publication thereof in such newspapers and

for such a length of time as shall be fixed by the surrogate and by the mailing of a copy of such citation to each of them by deposit of a copy thereof in the postoffice, properly enclosed in a postpaid sealed wrapper addressed to each of them at their last known place of residence, at least thirty days prior to the return day thereof." which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Norton (No. 7, Int. No. 7), entitled "An act to repeal certain laws relating to Washington county."

Also, Assembly bill introduced by Mr. J. A. Smith (No. 545, Int. No. 531), entitled "An act to amend the County Law, in relation to the duties of county auditors."

Also, Assembly bill introduced by Mr. A. Greenberg (No. 362, Int. No. 358), entitled "An act to amend the Legislative Law in relation to compensation for appearances in legislative matters," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill (No. 63, Int. No. 63) introduced by Mr. Bovie, entitled "An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester," reported in favor of the passage of the same, with the following amendment:

Page 3, line 24, strike out the words " § 4. This act shall take effect immediately ", and insert in place thereof the following:

" § 4. In case any controversy shall arise at any time under the provisions of this act, the same shall be determined by the county judge of Westchester county. For that purpose, any party may present a petition to the county judge, setting forth the facts and rights which are claimed. A copy of such petition and notice of the time and place when the same will be presented shall be served on all persons interested therein, at least eight days prior to such presentation.

" § 5. This act shall take effect immediately."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which

was referred Assembly bill (No. 673, Int. No. 647) introduced by Mr. Hover, entitled "An act to amend the General Business Law, in relation to standard barrels for pears and quinces," reported in favor of the passage of the same, with the following amendment:

On page 2, line 22, after the word "barrel" strike out the period (.) and insert the following in place thereof in italics: "and so marked in seventy-two point type."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill (No. 653, Int. No. 633) introduced by Mr. McElligott, entitled "An act to amend the Insanity Law, relative to the retirement of officers of State hospitals for the insane," reported in favor of the passage of the same, with the following amendment:

In the title of said bill after the word "act" strike out the following: "to amend the Insanity Law, relative to", and insert in the place thereof the following: "to provide for a permanent fund for the payment of annuities on", so that the title will read as follows: "An act to provide for a permanent fund for the payment of annuities on the retirement of officers of State hospitals for the insane."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McDaniels, from the committee on public health, to which was referred Assembly bill introduced by Mr. Small (No. 174, Int. No. 170), entitled "An act to amend the Public Health Law, in relation to the State institute for the study of malignant disease," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Gallup, from the committee on public institutions, to which was referred Assembly bill introduced by Mr. Gallup (No. 342, Int. No. 338), entitled "An act to amend the State Charities Law, in relation to the office and clerical force of the Fiscal Supervisor," reported the same with the following amendment:

Page 1, line 8, between the words "a" and "deputy" insert in italics the word "first"

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and re-committed to said committee.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Machold (No. 600, Int. No. 586), entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds."

Also, the bill introduced by Mr. Levy (No. 710, Int. No. 684), entitled "An act to amend chapter fifty-one of the Laws of nineteen hundred and nine, entitled 'An act in relation to public officers, constituting chapter forty-seven of the Consolidated Laws,' known as the Public Officers Law."

Also, the bill introduced by Mr. J. L. Seely (No. 213, Int. No. 210), entitled "An act to amend the Judiciary Law, in relation to Special Terms of the Supreme Court," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cronin (No. 121, Int. No. 121), entitled "Concurrent Resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the county courts," reported the same with the following recommendations:

Page 2, line 17, strike out comma after "provided".

Page 3, line 3, strike out "they".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Rozan (No. 107, Int. No. 107), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' as amended by chapter three hundred and thirty-nine of the Laws of nineteen hundred and ten, in relation to compensation of jurors in said court," reported the same with the following recommendations:

Page 2, line 1, strike out last "s" in "commissioners".

Page 2, line 6, insert comma after "shall".

Page 2, line 7, insert comma after "year".



Page 2, line 11, insert comma after "list".  
Page 2, line 15, insert comma after "jurors".  
Page 2, line 17, insert comma after "jury".  
Page 2, line 18, insert comma after "attends".  
Page 2, line 19, insert comma after "request".  
Page 2, line 22, insert comma after "served".  
Page 2, line 23, insert comma after "juror".  
Page 2, line 24, strike out "city" and insert "said".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations" (No. 96, Int. No. 96).

Mr. J. D. Kelly offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on taxation and retrenchment be discharged from the further consideration of Assembly bill (No. 674, Int. No. 648) entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by a church or religious body and devoted to social settlement work," and that said bill be referred to the committee on charitable and religious societies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 121, Int. No. 121) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the county courts," was read the second time.

On motion of Mr. Cronin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 710, Int. No. 684) entitled "An act to amend chapter fifty-one of the Laws of nineteen hundred and nine, entitled 'An act in relation to public officers, constituting chapter



forty-seven of the Consolidated Laws,' known as the Public Officers Law," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 600, Int. No. 586) entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds," was read the second time.

On motion of Mr. Machold, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 611, Int. No. 114) entitled "An act to amend the Membership Corporations Law, to prohibit the formation of cemetery corporations to operate in the county of Nassau, and to prohibit the acquiring, setting apart or using of land for cemetery purposes in said county except for family cemeteries," having been announced,

Mr. Maloney moved to amend as follows:

Page 2, line 11, after the word "law" strike out "neither shall this act be held to prohibit the acquisition or use by a cemetery corporation, whether now existing or hereafter created, of not exceeding thirty-six acres of land adjoining the Greenfield cemetery on the west in the town of Hempstead."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 107, Int. No. 107) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' as amended by chapter three hundred and thirty-nine of the Laws of nineteen hundred and ten, in relation to compensation of jurors in said court," was read the second time.

On motion of Mr. Rozan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 213, Int. No. 210) entitled "An act to amend the Judiciary Law, in relation to Special Terms of the Supreme Court," was read the second time.

On motion of Mr. J. L. Seely, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 561, Int. No. 547) entitled "An act to amend the charter of the city of Oneida, in relation to the payment of claims," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 503, Int. No. 206) entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lauds under water to the city of Buffalo, and to prohibit corporations from acquiring such land by condemnation," having been announced for a third reading,

On motion of Mr. Geyer, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 716, Int. No. 251) entitled "An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled 'An act to incorporate the city of Oneonta,' generally," having been announced,

Mr. Butt moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

In line 3 of page 10, after the word "to" insert the word "reasonably".

In line 10 of page 10, after the word "subways" insert "whenever reasonable necessity therefor shall arise, and", omitting the semi-colon following the word "subways" and substituting a comma after the word "arise".

In line 10 of page 10, after the word "to" insert the word "reasonably".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. Daley offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Senate bill (No. 398, Rec. No.

8) entitled "An act to amend the Benevolent Orders Law, in relation to powers of joint corporations."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Daley, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Daley, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Maloney	Silverstein
Allen	Dox	Hover	McCue	Small
Baumes	Edwards	Hughes	McDaniels	Smith J A
Baxter	Eisner	Ingram	McElligott	Smith M
Benninger	Emden	Jackson	McGrath	Smith T K
Bovie	Esquirol	Jones	McKee	Squire
Bradley	Evans	Jude	McKeon	Sufrin
Brereton	Fallon	Kane	McMahon	Sutphin
Brewster	Fitzgerald	Kelly J A	Monahan	Sweet
Bryant	Finnigan	Kelly J D	Norton	Tallett
Burden	Fuller	Kelly P J	O'Brien	Taylor F J
Burr	Gage	Kenney	O'Connor	Taylor T D
Bush	Gallup	Kennedy	Patrie	Telford
Butts	Garvey	Kerrigan	Pembleton	Tudor
Carroll	Gathright	Kiernan	Pullman	Van Woert
Carver	Geoghan	Knight	Richardson	Vert
Caughlan	Geyer	Knott	Robinson	Volk
Cole	Gillett	Kornobis	Rozan	Walker
Cotillo	Goldberg	Larrimer	Schaap	Ward
Cuvillier	Grace	Levy	Schifferdecker	Webb
Daley	Grimme	Lewis	Schnirel	Weil
Deitz	Gurnett	Macdonald	Schwarz	Wood
Dennen	Hamilton	Machold	Seaker	Ulrich
Denney	Hammer	Madden	Seely J L	Yale
Donohue	Hearn	Magee	Seelye G T	Yard
Dorst	Hinman	Malone	Shepardson	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 717, Int. No. 218) entitled "An act to amend

the Benevolent Orders Law, in relation to powers of joint corporations," having been announced for a third reading,

On motion of Mr. Daley, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 662, Int. No. 160) entitled "An act to amend the Code of Criminal Procedure, in relation to the admission of defendants to bail," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Maloney	Silverstein
Allen	Dox	Hover	McCue	Small
Baumes	Edwards	Hughes	McDaniels	Smith J A
Baxter	Eisner	Ingram	McElligott	Smith M
Benninger	Emden	Jackson	McGrath	Smith T K
Bovie	Esquirol	Jones	McKee	Squire
Bradley	Evans	Jude	McKeon	Sufrin
Brereton	Fallon	Kane	McMahon	Sutphin
Brewster	Fitzgerald	Kelly J A	Monahan	Sweet
Bryant	Finnigan	Kelly J D	Norton	Tallett
Burden	Fuller	Kelly P J	O'Brien	Taylor F J
Burr	Gage	Kenney	O'Connor	Taylor T D
Bush	Gallup	Kennedy	Pappert	Telford
Butts	Garvey	Kerrigan	Pembleton	Tudor
Carroll	Gathright	Kiernan	Pullman	Van Woert
Carver	Geoghan	Knight	Richardson	Vert
Caughlan	Geyer	Knott	Robinson	Volk
Cole	Gillet	Kornobis	Rozan	Walker
Cotillo	Goldberg	Larrimer	Schaap	Ward
Cuvillier	Grace	Levy	Schifferdecker	Webb
Daley	Grimme	Lewis	Schnirel	Weil
Deitz	Gurnett	Macdonald	Schwarz	Wood
Dennen	Hamilton	Macold	Seaker	Ulrich
Denney	Hammer	Madden	Seely J L	Yale
Donohue	Hearn	Magee	Seelye G T	Yard
Dorst	Hinman	Malone	Shepardson	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 243, Int. No. 240) entitled "An act to amend the Education Law, relative to contracts for the instruction of pupils," was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Maloney	Silverstein
Allen	Dox	Hover	McCue	Small
Baumes	Edward	Hughes	McDaniels	Smith J A
Baxter	Eisner	Ingram	McElligott	Smith M
Benninger	Emden	Jackson	McGrath	Smith T K
Bovie	Esquirol	Jones	McKee	Squire
Bradley	Evans	Jude	McKeon	Sufrin
Brereton	Fallon	Kane	McMahon	Sutphin
Brewster	Fitzgerald	Kelly J A	Monahan	Sweet
Bryant	Finnigan	Kelly J D	Norton	Tallett
Burden	Fuller	Kelly P J	O'Brien	Taylor F J
Burr	Gage	Kenney	O'Connor	Taylor T D
Bush	Gallup	Kennedy	Patrie	Telford
Butts	Garvey	Kerrigan	Pembleton	Tudor
Carroll	Gathright	Kiernan	Pullman	Van Woert
Carver	Geoghan	Knight	Richardson	Vert
Caughlan	Geyer	Knott	Robinson	Volk
Cole	Gillett	Kornobis	Rozan	Walker
Cotillo	Goldberg	Larrimer	Schaap	Ward
Cuvillier	Grace	Levy	Schifferdecker	Webb
Daley	Grimme	Lewis	Schnirel	Weil
Deitz	Gurnett	Macdonald	Schwartz	Wood
Dennen	Hamilton	Machold	Seaker	Ulrich
Denney	Hammer	Madden	Seely J L	Yale
Donohue	Hearn	Magee	Seelye G T	Yard
Dorst	Hinman	Malone	Shepardson	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 658, Int. No. 91) entitled "An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign insurance corporation," having been announced for a third reading,

On motion of Mr. Walker, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 659, Int. No. 99) entitled "An act to amend the Insurance Law, in relation to agents," having been announced for a third reading,

On motion of Mr. Walker, said bill was laid aside and ordered stricken from the calendar.

The Senate returned the bill (No. 142, Int. No. 140) entitled "An act making an appropriation for the investigation, care, maintenance and improvement of the State reservation at Saratoga Springs," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution in relation to printing the reports and testimony of the Joint Committee on Conservation and Utilization of Water-Power, with a message that they have concurred in the passage of the same without amendment.

On motion of Mr. Levy, the House adjourned.

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### FRIDAY, FEBRUARY 7, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Henry S. Van Woert, Selkirk.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Code of Civil Procedure, in relation to docket of judgment" (No. 30, Rec. No. 16), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to notice of sale of personal property" (No. 545, Rec. No. 17), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to substituted service of the summons" (No. 10, Rec. No. 18), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to service of petition in summary proceedings" (No. 369, Rec. No.

19), which was read the first time and referred to the committee on codes.

“An act to amend the Code of Civil Procedure, in relation to distributive shares of infants” (No. 370, Rec. No. 20), which was read the first time and referred to the committee on codes.

“An act to amend section two of the State Law, in relation to boundary lines between the State of New York and the State of Connecticut” (No. 542, Rec. No. 21), which was read the first time and referred to the committee on the judiciary.

“An act to amend the Penal Law, relative to abstraction of or willful misapplication of money, funds or property, or misapplication of credit, of any corporation subject to the Banking Law, by an officer, director, trustee, employee or agent thereof” (No. 322, Rec. No. 22), which was read the first time and referred to the committee on codes.

“An act to amend the Banking Law, in relation to the merger of savings banks” (No. 515, Rec. No. 23), which was read the first time and referred to the committee on banks.

“An act to amend the Banking Law, in relation to oaths of trustees of savings banks, their qualification for a continuance in office and vacancies in the office of trustee” (No. 318, Rec. No. 24), which was read the first time and referred to the committee on banks.

“An act to amend the Banking Law, in relation to removal of trustees of savings banks” (No. 317, Rec. No. 25), which was read the first time and referred to the committee on banks.

“An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled ‘An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,’ in relation to the salaries of the judges of the city court of Buffalo” (No. 540, Rec. No. 26), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Insurance Law, in relation to proceedings against and the liquidation of delinquent insurance corporations” (No. 224, Rec. No. 27), which was read the first time and referred to the committee on insurance.

“An act to amend the General Corporation Law, in relation

to corporate names" (No. 65, Rec. No. 28), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign insurance corporation" (No. 513, Rec. No. 29), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to life or casualty insurance corporations upon the co-operative or assessment plan" (No. 55, Rec. No. 30), which was read the first time and referred to the committee on insurance.

"An act to repeal chapter eighty-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to provide the minimum capital stock required for the organization of fire or marine insurance corporations'" (No. 58, Rec. No. 31), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to the policy or certificate of a life or casualty insurance corporation upon the co-operative or assessment plan" (No. 52, Rec. No. 32), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to organizations for assisting underwriters in insurance business generally" (No. 541, Rec. No. 33), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to organizations in assisting in establishing insurance rates" (No. 538, Rec. No. 34), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to rate-making associations" (No. 539, Rec. No. 35), which was read the first time and referred to the committee on insurance.

Mr. Adler introduced a bill entitled "An act relating to the completion of the Capitol" (Int. No. 859), which was read the first time and referred to the committee on ways and means.

Mr. Bovie introduced a bill entitled "An act to provide for the regulation of telegraph, telephone and electric light wires and cables in the streets and avenues of the city of Mount Vernon, and to provide for placing the same underground" (Int. No.



860), which was read the first time and referred to the committee on electricity, gas and water supply.

Also, "An act to permit the city of Mount Vernon to provide for the special lighting of the business district of said city, and to assess the cost thereof upon the abutting property" (Int. No. 861), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter seven hundred and ten of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish the office of the comptroller of the city of Mount Vernon,' as amended by chapter sixty-nine of the Laws of nineteen hundred and one, as amended by chapter seventy-six of the Laws of nineteen hundred and ten, in relation to his annual report" (Int. No. 862), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend section one hundred and fifty-eight of chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the annual meeting of the common council" (Int. No. 863), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter eighty-seven of the Laws of nineteen hundred and five, entitled 'An act to authorize the city of Mount Vernon to borrow money by the issue of bonds, for the purpose of purchasing sites and erecting buildings for the use of the fire and police departments, and to provide a sinking fund to pay principal and interest of said bonds,' in relation to the amount of such bonds" (Int. No. 864), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter seventy-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize and empower the city of Mount Vernon to acquire land for a site and to improve the same, or a site already possessed, and to erect a municipal building or buildings thereon, and to issue bonds for the purpose of purchasing or otherwise acquiring, improving and erecting the same,' in relation to the amount of such bonds"

(Int. No. 865), which was read the first time and referred to the committee on affairs of cities.

Mr. Carroll introduced a bill entitled "An act to amend the Judiciary Law, in relation to the wardens of the grand jury of the county of New York" (Int. No. 866), which was read the first time and referred to the committee on the judiciary.

Mr. Carver introduced a bill entitled "An act to amend the Greater New York charter, in relation to the telegraph service of the fire department" (Int. No. 867), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section nine of article five of the Constitution, in relation to appointments and promotions in the civil service of the State and of all the civil divisions thereof" (Int. No. 868), which was read the first time and referred to the committee on the judiciary.

Mr. Deitz introduced a bill entitled "An act to amend the Judiciary Law, in relation to the settlement or adjustment of certain actions in which an attorney shall have appeared" (Int. No. 869), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Code of Civil Procedure, in relation to actions for causing death by negligence" (Int. No. 870), which was read the first time and referred to the committee on codes.

Mr. Jones introduced a bill entitled "An act to amend the Railroad Law, in relation to limiting the time for delivering freight by railroad corporations" (Int. No. 871), which was read the first time and referred to the committee on railroads.

Mr. McElligott introduced a bill entitled "An act to amend the Labor Law, in relation to the creation of a board of examiners of concrete construction and providing for the issuance of licenses by the Commissioner of Labor" (Int. No. 872), which was read the first time and referred to the committee on labor and industries.

Mr. Walker introduced a bill entitled "An act to amend the State Printing Law, in relation to the number of extra copies of a report of the Superintendent of Insurance" (Int. No. 873),

which was read the first time and referred to the committee on public printing.

Also, "An act to amend the Insurance Law, in relation to standard provisions for accident and health policies and discriminations" (Int. No. 874), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the standard fire insurance policy of the State of New York" (Int. No. 875), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Penal Law, in relation to arson" (Int. No. 876), which was read the first time and referred to the committee on codes.

Mr. Weil introduced a bill entitled "An act to amend the General Business Law, in relation to rate of interest to be charged by pawnbrokers" (Int. No. 877), which was read the first time and referred to the committee on general laws.

Mr. Brereton introduced a bill entitled "An act to provide for the construction of light-houses for protection of navigation on Lake George, and making an appropriation therefor" (Int. No. 878), which was read the first time and referred to the committee on ways and means.

Mr. Bush introduced a bill entitled "An act authorizing the city of Elmira to issue bonds for paving purposes" (Int. No. 879), which was read the first time and referred to the committee on affairs of cities.

Also, "An act in relation to the Cuba reservoir, and making an appropriation on account thereof" (Int. No. 880), which was read the first time and referred to the committee on ways and means.

Also, "An act to provide for existing deficit in funds available for support of the military establishment of the State, and making an appropriation therefor" (Int. No. 881), which was read the first time and referred to the committee on ways and means.

Also, "An act making an appropriation for the payment of compensation for services of employes required for the care and maintenance of the State education building" (Int. No. 882).

which was read the first time and referred to the committee on ways and means.

Mr. Knight introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to compensation to be allowed certain witnesses for the people" (Int. No. 883), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same" (Int. No. 884), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to examination of subscribing witnesses to a will" (Int. No. 885), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to costs of an executor on a contest" (Int. No. 886), which was read the first time and referred to the committee on codes.

Mr. McCollum introduced a bill entitled "An act to prevent the flooding of State Highway route eighteen, known as the Buffalo and Niagara Falls boulevard, and adjacent lands in the town of Niagara, Niagara county, and making an appropriation therefor" (Int. No. 887), which was read the first time and referred to the committee on ways and means.

Also, "An act to provide for deepening, widening and straightening the East branch of Eighteen Mile creek, towns of Royalton, Hartland, Lockport and Newfane, Niagara county, and making an appropriation therefor" (Int. No. 888), which was read the first time and referred to the committee on ways and means.

Mr. Walker introduced a bill entitled "An act to amend the Greater New York charter, in relation to the board of aldermen" (Int. No. 889), which was read the first time and referred to the committee on affairs of cities.

Mr. Campbell introduced a bill entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed" (Int. No. 890), which was read the first time and referred to the committee on affairs of cities.

Mr. Patrie introduced a bill entitled "An act to amend the Conservation Law, in relation to hydro-electric plants and districts, and making an appropriation for the capital district plant" (Int. No. 891), which was read the first time and referred to the committee on ways and means.

Mr. Doty introduced a bill entitled "An act to amend the Education Law, in relation to free instruction of nonresident pupils" (Int. No. 892), which was read the first time and referred to the committee on public education.

Mr. Tallett introduced a bill entitled "An act to amend the Judiciary Law, in relation to confidential clerks to Supreme Court justices in the sixth judicial district" (Int. No. 893), which was read the first time and referred to the committee on the judiciary.

Mr. Silverstein introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to stay of execution of judgment on appeal" (Int. No. 894), which was read the first time and referred to the committee on codes.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Yard (No. 307. Int. No. 303), entitled "An act to authorize the board of supervisors of the county of Westchester to issue temporary loan bonds for the purpose of raising money to pay certificates of indebtedness of said county, issued pursuant to the provision of chapter three hundred and forty-two of the Laws of nineteen hundred and two, entitled 'An act to make the office of the supervisor in the county of Westchester a salaried office, and to regulate the sessions of the board of supervisors in said county,' and acts amendatory thereof and supplemental thereto," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to supplement the provisions of law relating to the department of public works of the city of Syracuse." (No. 770, Int. No. 478.)

"An act to amend the Insurance Law, in relation to brokers." (No. 791, Int. No. 93.)

"An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance." (No. 790, Int. No. 150.)

The bill (No. 467, Int. No. 462) entitled "An act making appropriations for certain immediate expenses of the Legislature, and providing for deficiencies in former appropriations therefor," having been announced for a second reading,

On motion of Mr. Bush, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 429, Int. No. 424) entitled "An act to amend the Code of Civil Procedure, in relation to service of petition in summary proceedings," having been announced for a second reading,

On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 428, Int. No. 423) entitled "An act to amend the Code of Civil Procedure, in relation to distributive shares of infants," was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 704, Int. No. 678) entitled "An act to extend the time for making the final report of the commissioners designated to consolidate, codify and revise the laws, relating to the estates of deceased persons and the procedure and practice in surrogates' courts," having been announced for a second reading,

On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 222, Int. No. 219) entitled "An act to amend the Penal Law, in relation to Sunday baseball," having been announced for a second reading,

On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 362, Int. No. 358) entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters," having been announced for a second reading,

On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 214, Int. No. 211) entitled "An act to provide for the repair of the public dock at Willard, Seneca county, used by the Willard State Hospital, and making an appropriation therefor," having been announced for a second reading,

On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 217, Int. No. 214) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the palisades,' as amended by chapter six hundred and ninety-one of the Laws of nineteen hundred and six, and as further amended by chapter three hundred and sixty-one of the Laws of nineteen hundred and ten," having been announced,

Mr. J. D. Kelly moved to amend as follows:

Strike out all after the word "palisades", occurring on line 6 of the title, and insert the word "generally" in place thereof.

On page 2, line 3, after the word "and", first occurring on said line, strike out "sixty" and insert "six" in place thereof.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 444, Int. No. 439) entitled "An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity and providing for the improvement thereof," having been announced for a second reading,

On motion of Mr. Malone, and by unanimous consent, said



bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 113, Int. No. 113) entitled "An act to amend the Code of Criminal Procedure, in relation to recovering on forfeited bail," was read the second time.

On motion of Mr. Knight, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 726, Int. No. 698) entitled "An act providing for the development and extension of the New York State Veterinary College at Cornell University, and making an appropriation therefor," was read the second time.

On motion of Mr. McDaniels, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 7, Int. No. 7) entitled "An act to repeal certain local laws relating to Washington county," was read the second time.

On motion of Mr. Norton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 174, Int. No. 170) entitled "An act to amend the Public Health Law, in relation to the State institute for the study of malignant disease," was read the second time.

On motion of Mr. Small, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 327, Int. No. 323) entitled "An act to provide for the purchase of a portrait of Silas Wright for the Executive Chamber, and making an appropriation therefor," was read the second time.

On motion of Mr. J. A. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 545, Int. No. 531) entitled "An act to amend the County Law, in relation to the duties of county auditors," was read the second time.

On motion of Mr. J. A. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 655, Int. No. 635) entitled "An act to provide for the construction of a bridge over the Black river and Moose river at Lyons Falls, in the county of Lewis, and making appropriations and reappropriations therefor," having been announced for a second reading,



On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 96, Int. No. 96) entitled "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations," having been announced for a third reading,

On motion of Mr. Malone, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February 6, 1913.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of the Senate bill (No. 276, Rec. No. 12), entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with the message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 242, Int. No. 239) entitled "An act to amend chapter one hundred and fifty-seven of the Laws of eighteen hundred and forty-four, entitled 'An act to incorporate the village of Mohawk,' in relation to the creation of a board of commissioners for the Weller library in the village of Mohawk, and defining its powers and duties," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Bush, the House adjourned.

## MONDAY, FEBRUARY 10, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Joseph A. Dunney.

On motion of Mr. Levy, the reading of the journal of Friday, February 7th, was dispensed with and the same was approved.

A message from the Governor, by the hand of his Secretary, was received and read in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *February* 10, 1913.

*To the Legislature:*

On the 20th day of last month I transmitted to your honorable bodies the report made to me by the Hon. William B. Ellison, as a Commissioner, on the advisability of a complete and thorough revision of the Standard Fire Insurance Policy of this State, and urged that the subject be given careful consideration.

In connection with this matter I have received a communication from the Hon. Joseph Johnson, fire commissioner of the city of New York, of which the following is a copy:

“FIRE DEPARTMENT OF THE CITY OF NEW YORK.

FEBRUARY 5, 1913.

HON. WILLIAM SULZER, *Governor, New York State, Albany, N. Y.:*

*Your Excellency:*

While appreciating highly the work done by your Special Commissioner, Hon. William B. Ellison, in drafting changes in the Standard Fire Insurance Policy, I desire to call your special attention to the fact that any improvement made in the fire insurance contract under existing conditions is only placing another weapon in the hands of dishonest persons, who now resort to incendiarism.

As I have recently compiled an elaborate report covering this subject, a copy of which I have already placed in the hands of your Excellency, I am not making a rash statement in asserting that: To compel fire insurance companies to revise their policies, without, at the same time, forcing them to change their methods of supplying these policies to the public, would be literally adding fuel to the flames.

While reiterating my appreciation of Mr. Ellison's efforts, I maintain that it would be highly illogical, not to say disastrous, to place a better form of fire insurance policy in the hands of certain members of the public, until legislation has been first enacted which will change the present methods of business as conducted by the fire insurance companies in this State.

The revision and improvement of the standard policy should be subsequent to, or at least concur with, the alteration of the methods of fire insurance companies. These changes should compel fire insurance companies in this country to conform to the best precedents followed in foreign countries, where arson for insurance has been practically eliminated.

I am appealing to your Excellency, as one who has always had the interests of the great majority of the people at heart, to give your serious attention to the dangers which threaten the public from the present fire insurance situation.

I am able to substantiate my estimate that 25 per cent. of our fire losses are due to incendiarism.

I am able to prove by overwhelming testimony that fire insurance companies issue policies indiscriminately, recklessly and wantonly.

In the course of my recent investigations into incendiarism, the Fire Department was able to obtain, without previous inspection or even inquiry on the part of the fire insurance companies, fire insurance policies to the number of 135 covering \$127,500 on household effects worth only \$3.96.

I am able to prove that the very companies who do this business in this city conduct their affairs abroad in a wholly different manner. None of these foreign companies, who do business in their own country, would have the temerity to issue policies in the indiscriminate manner in which they are scattering them broadcast throughout this city and country.

In this connection I might mention that the United States and Canada are the only two countries in the world in which fire insurance companies are allowed to do business in the present loose and culpable manner.

This is not a local question here in New York city, but it is widespread throughout the country, and if your Excellency will give the matter your careful attention, you will find that you are dealing with a national issue. It is on these broad grounds that I am writing to you and submitting a brief summary of my conclusions in reference to this vital subject of incendiarism, which is responsible for a large proportion of our \$250,000,000 national annual fire loss.

Not only is incendiarism the cause of an enormous and irretrievable loss to this city each year, but human life is involved owing to the fact that many of the fires started by incendiaries result in deaths to citizens as well as to firemen who fall in the pursuit of their duties.

Since the publication of my report on incendiarism, fires in New York city have shown a remarkable falling off, which I can only attribute to the inauguration of this crusade against arson. For instance, in January, 1912, the number of fires in Greater New York was 1,780, whereas the fires in January, 1913, for the same district have been 1,168. Therefore, there were 612 less fires in January this year than there were in January, 1912.

Furthermore, fires in what we call "The Fire Zone" of New York city — the area bounded by East 96th street, East 106th street, Madison avenue and the East river — have fallen off to a remarkable extent; that is, from 42 fires in January, 1912, to 14 fires in January, 1913, a reduction of more than 60 per cent. This is directly and solely due to the fact of the agitation against incendiarism conducted by the fire department, and ably seconded by the district attorney's office.

It is claimed by some of our critics that the falling off in fires is attributable to our mild weather; as there are naturally more fires in winter than in summer. I call your attention to the fact, however, that in July last year, including the usually heavy fires of July 4th, there was 1,341 fires; in June 1,339 fires, as against 1,168 fires in January this year.

In the course of preparing the report on incendiarism, not only was it demonstrated that fire insurance companies grant policies without the least regard to character of assured, or inspection of risks, but it has been amply proved that these companies recklessly grant insurance policies to business firms who have had many previous fires.

In this matter of business fire insurance, an analysis was made of 14,574 fires which occurred in Greater New York during 1911, and it was demonstrated beyond question that fires in certain trades occur not only with alarming frequency, but to an extent which can only be accounted for by the fact that these trades deliberately take advantage of present fire insurance conditions.

I might mention for your Excellency's information that the normal fire rate is about 30 per cent. for "Not Ascertained" fires — that is, fires which, after investigation, do not reveal the causes of their origin. But in certain trades the nonascertained fires rank as high as 78 per cent., 71 per cent., 69 per cent., 65

per cent. and so on. Careful investigation has also revealed the fact that financial and trade conditions lead to insurance fires.

Arson is frequently committed to avoid bankruptcy. Many concerns are in business in New York who have had more than three fires, from which they have collected insurance, thus saving themselves from business failure. And yet, the ability on the part of these firms to obtain further fire insurance is unimpaired, despite the fact that many of them have had fires which can only be termed suspicious in character.

Some fire insurance companies claim that they do not issue policies to certain persons who have already proved themselves to be suspicious in character. I have demonstrated, however, and it is further proved by the legislative investigation into "Corrupt Practices and Insurance Companies other than Life" in 1910, that insurance companies deal through brokers from whom they are willing to accept a certain amount of bad business — which they know to be risky — provided those brokers will give them a fair proportion of good business.

This is a situation which amounts to criminal collusion on the part of the fire insurance companies.

My investigators have also been able to throw light upon the operations of certain persons known as "public adjusters." These persons frequent all fires, and by various questionable methods attempt to persuade persons holding fire insurance policies to deal with them, instead of through the companies.

The actions of dishonest public adjusters have brought disrepute upon the whole trade of public fire insurance adjusters, and I strongly recommend to your Excellency's attention chapter V of my report dealing with this matter. Legislative enactments are required to curtail the operations of these people, and I might mention that since the expose on incendiarism made in my report, several prominent public adjusters have been indicted by the New York grand jury, as well as certain insurance brokers who have been collaborating with incendiaries in collecting insurance and obtaining policies.

Owing to the fact that arson is one of the most difficult crimes in which to obtain convictions — it is considered by criminal lawyers to be on a par with murder — it is extremely urgent that remedial legislation shall be introduced, which will remove the main cause of arson — that is, the ready access which incendiaries now have to fire insurance policies. It is these policies which supply the principal motive for arson.

In the course of my report on incendiarism, correspondence was opened with every important fire insurance company abroad,

and a special visit made to Germany on behalf of the New York Fire Department by Mr. Robert H. Mainzer; a vast amount of information was collected from foreign fire insurance companies, all pointing to the fact that they conduct their business on far more rigid lines than do companies trading in this country.

When persons desire fire insurance in London, Paris, Berlin, Edinburgh, Glasgow, Liverpool, Gothenburg, and other foreign cities, the assured themselves must not only answer numerous questions, as to character, financial standing, and nature of risk, but the agent who secures the application must personally recommend the granting of the policy to the assured, and this agent gives his written approval to all applications which pass through his hands.

Foreign companies have also a method of "blacklisting" agents who give them bad business, and by careful selection of their business, they are absolutely able to prevent the crime of arson, which is so prevalent in our country.

Speaking of foreign cities, I might mention that where New York in 1910 had 14,405 fires, London only had 3,941 fires, while Paris had but 2,030 fires and Berlin 2,068 fires. Greater New York has 300 fires per 100,000 inhabitants, while London for the same population has but 81 fires; Paris, 74; Berlin, 97; Vienna, 59; St. Petersburg, 55 fires.

Where European cities pay a per capita fire loss of only about 50 cents, Greater New York pays a per capita fire loss of \$2.45.

Some foreign cities, such as Southampton and Dresden, are as low as 12 cents per capita.

Making every allowance for climatic and building conditions, the discrepancy is highly unfavorable to the American Metropolis.

Where foreign applicants for fire insurance policies request insurance, they must fill out proposal forms, which require them to answer questions, not only relating to their personal business and previous record, but they must state whether they ever had any previous fires in any premises occupied by them, and they must give full particulars of such fires. Any answers to questions on these proposal forms are taken as warranties under the policies, and when answered untruthfully invalidate the contract.

Since sending out this report on incendiarism, I have received numerous letters from many insurance experts throughout the country, even presidents of fire insurance companies, highly commending the report, and also agreeing with me in my general conclusion that our present unhappy conditions in this country are entirely due to the lax methods followed by fire insurance companies here. I am glad to say that I am not alone in my conclusion.

The only adverse criticism I have received has been from certain members of the Board of Fire Underwriters, and from individual managers of fire insurance companies, who have been incensed that my investigators should have obtained policies from their companies.

Those who have challenged our figures have been convicted of error by confronting them with their own public utterances made previous to our exposure of lax fire insurance methods. The arguments presented by these parties have been trifling in weight and easily refuted.

I feel safe in assuring your Excellency that public opinion is entirely in our favor, and that it has been thoroughly aroused.

All that is necessary now is to follow up the work inaugurated by the fire department, by legislation compelling changes in present methods of doing fire insurance business in this country.

It would seem that the companies would see the error of their ways, and voluntarily offer to make necessary reforms in their present methods. But, from information I have been able to gather, they appear determined to continue in their present course, and are displaying a supercilious contempt for public opinion. As the position which they have taken up is untenable, and is against the common good, they cannot long occupy it.

I recognize that the duties of your important public office prevent you from giving detailed attention to many subjects, even of extreme moment, but I feel quite sure that where a matter of actual life and death — to say nothing of vast property loss to large bodies of citizens — is involved that your Excellency will not fail to give this particular matter the personal consideration it most certainly deserves.

Respectfully,

JOS. JOHNSON,  
*Fire Commissioner.*"

In my opinion this is a matter of much moment concerning the general welfare, and it seems to me demands the immediate attention of the Legislature to the end that the evils to which reference is made be remedied at the earliest possible day. Hence I renew my recommendation that the State of New York should have the best Standard Fire Insurance Policy in the country.

WM. SULZER.

Mr. Allen introduced a bill entitled "An act to amend the Town Law, in relation to requiring sewer connections in town sewer districts" (Int. No. 895), which was read the first time and referred to the committee on internal affairs.



Mr. Cronin introduced a bill entitled "An act to amend the Penal Law, in relation to the sale of boots and shoes as being made of leather when other material is substituted therefor" (Int. No. 896), which was read the first time and referred to the committee on codes.

Mr. Cuvillier introduced a bill entitled "An act to amend the General Construction Law, in relation to rights of State and certain municipal employees with respect to holidays and half-holidays" (Int. No. 897), which was read the first time and referred to the committee on the judiciary.

Mr. Daly introduced a bill entitled "An act to amend the Railroad Law, in relation to the issue and use of mileage books" (Int. No. 898), which was read the first time and referred to the committee on railroads.

Mr. Dorst introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to the issuance and transfer of liquor tax certificates and abandonment notices" (Int. No. 899), which was read the first time and referred to the committee on excise.

Mr. Finnigan introduced a bill entitled "An act to provide for the construction of a bridge over the Nassau river between the boroughs of Brooklyn and Queens, in the city of New York, and making an appropriation therefor" (Int. No. 900), which was read the first time and referred to the committee on ways and means.

Mr. Van Woert introduced a bill entitled "An act to amend the Village Law, in relation to the lien of water rents" (Int. No. 901), which was read the first time and referred to the committee on affairs of villages.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to surety companies" (Int. No. 902), which was read the first time and referred to the committee on insurance.

Mr. Willard introduced a bill entitled "An act to provide for the alteration, remodeling and improvement of the State armory in the city of Olean, the disposition of the old armory building, and making an appropriation therefor" (Int. No. 903), which was read the first time and referred to the committee on ways and means.



Also, "An act to provide for the construction of a bridge by the State in the Allegany Indian reservation across the Allegany river in the town of Cold Spring, Cattaraugus county, and making an appropriation therefor" (Int. No. 904), which was read the first time and referred to the committee on ways and means.

Mr. Willmott introduced a bill entitled "An act to authorize the fire commissioner of the city of New York to increase the pension of the widow of Henry Eickenberg" (Int. No. 905), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to amend the Stock Corporation Law, in relation to the regulation and supervision of investment companies" (Int. No. 906), which was read the first time and referred to the committee on the judiciary.

Mr. Robinson introduced a bill entitled "An act to amend the Conservation Law, in relation to the sale of certain water fowl" (Int. No. 907), which was read the first time and referred to the committee on conservation.

Mr. Bryant introduced a bill entitled "An act to incorporate the city of Batavia" (Int. No. 908), which was read the first time and referred to the committee on affairs of cities.

Mr. Silverstein introduced a bill entitled "An act to amend the Greater New York charter, in relation to salaries of the members of the supervising and teaching staffs of the board of education" (Int. No. 909), which was read the first time and referred to the committee on affairs of cities.

Mr. Cole introduced a bill entitled "An act to amend the Agricultural Law, in relation to commercial fertilizer" (Int. No. 910), which was read the first time and referred to the committee on agriculture.

Also, "An act to amend the Agricultural Law, in relation to concentrated commercial feeding stuffs" (Int. No. 911), which was read the first time and referred to the committee on agriculture.

Also, "An act to amend the Agricultural Law, in relation to branding skim-milk cheese" (Int. No. 912), which was read the first time and referred to the committee on agriculture.

Also, "An act to amend the Agricultural Law, in relation to

manufacture and sale of oleomargarine, butterine and other similar products, not made from pure milk or cream of the same, and to provide for a license " (Int. No. 913), which was read the first time and referred to the committee on agriculture.

Also, "An act to amend the Agricultural Law, in relation to adulterated milk " (Int. No. 914), which was read the first time and referred to the committee on agriculture.

Mr. Evans introduced a bill entitled "An act to amend the Highway Law, in relation to establishing a new State route in the counties of Orange, Ulster and Sullivan " (Int. No. 915), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Highway Law, in relation to establishing a new State route in the county of Sullivan " (Int. No. 916), which was read the first time and referred to the committee on internal affairs.

Mr. Fallon introduced a bill entitled "An act to legalize and confirm the acts of the town board of Shelter Island in respect to the purchase and maintenance of a certain dock therein " (Int. No. 917), which was read the first time and referred to the committee on the judiciary.

Mr. Cronin introduced a bill entitled "An act to amend the Public Officers Law, in relation to recording public records " (Int. No. 918), which was read the first time and referred to the committee on general laws.

Mr. Knott introduced a bill entitled "An act to amend the Banking Law, in relation to closing a trust company " (Int. No. 919), which was read the first time and referred to the committee on banks.

Mr. Macdonald introduced a bill entitled "An act to amend the County Law, in relation to the salary of the county judge of Franklin county " (Int. No. 920), which was read the first time and referred to the committee on internal affairs.

Also, "An act to provide for the establishment of a fish hatchery in the town of Waverly, Franklin county, and making an appropriation therefor " (Int. No. 921), which was read the first time and referred to the committee on ways and means.

Mr. Vert introduced a bill entitled "An act to provide for re-

building the dam across the Great Chazy river at Chazy lake, the construction of a power plant thereat for supplying electricity to the Clinton State prison and the Dannemora State hospital, and making an appropriation therefor" (Int. No. 922), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Agricultural Law, in relation to the sale of fruit bearing trees" (Int. No. 923), which was read the first time and referred to the committee on agriculture.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to retirement from active service of officers, clerks and employees" (Int. No. 924), which was read the first time and referred to the committee on affairs of cities.

Mr. Dorst introduced a bill entitled "An act to authorize the city of Buffalo and the county of Erie to provide by agreement or otherwise for the transfer and conveyance of the city and county hall in said city, and the site on which it stands, and the acquisition of lands and construction of buildings for county and courthouse purposes or for city purposes; or for the improvement, enlargement or reconstruction of said city and county hall" (Int. No. 925), which was read the first time and referred to the committee on affairs of cities.

Mr. Schaap introduced a bill entitled "An act to provide for submitting to the people the question, "Shall there be a convention to revise the Constitution and amend the same?" and to provide for such convention, if a majority of the electors shall decide that such convention be held" (Int. No. 926), which was read the first time and referred to the committee on the judiciary.

Mr. Small introduced a bill entitled "An act to amend the County Law, in relation to the powers and duties of assistants to clerks in certain counties" (Int. No. 927), which was read the first time and referred to the committee on internal affairs.

Mr. Ward introduced a bill entitled "An act to prevent cruelty by conferring upon the Board of Regents of the University of the State of New York the power of supervision of experiments on living animals" (Int. No. 928), which was read the first time and referred to the committee on the judiciary.

Mr. Maloney introduced a bill entitled "An act to amend the County Law, in relation to fire districts" (Int. No. 929), which was read the first time and referred to the committee on internal affairs.

Also, "An act to legalize the acts and proceedings of the town of Oyster Bay, in Nassau county, at a town meeting held April fourth, nineteen hundred and eleven, and of the board of supervisors of said county and the officers and agents of said board, town or county, subsequent thereto, relative to improving a part of Jersualem avenue and the issuance and sale of bonds of said town therefor; also to validate said bonds, authorize their issuance, sale, resale and delivery and provide for their payment by a tax in said town" (Int. No. 930), which was read the first time and referred to the committee on the judiciary.

Mr. Vert, by request, introduced a bill entitled "An act to amend chapter two hundred and sixty-nine of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Plattsburg,' in relation to increasing the number of supervisors of said city and providing for the appointment of the additional supervisors" (Int. No. 931), which was read the first time and referred to the committee on affairs of cities.

Mr. Kenney introduced a bill entitled "An act granting the consent of the State of New York to the occupation by the United States of certain lands for the purpose of the erection of a lighthouse and necessary buildings, situate near the city of Kingston in the county of Ulster, and ceding jurisdiction over the same" (Int. No. 932), which was read the first time and referred to the committee on the judiciary.

Also, "An act to authorize the use of certain land owned by the State in Ulster county for a game farm, and making an appropriation for the equipment and stocking thereof" (Int. No. 933), which was read the first time and referred to the committee on ways and means.

Mr. Brereton introduced a bill entitled "An act to provide for the removal and reinterment of bodies in a cemetery in the town of Bolton in Warren county" (Int. No. 934), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Gibbs introduced a bill entitled "An act to amend the State Charities Law, in relation to establishing a bureau for the study of abnormal classes and defining the powers and duties of such bureau" (Int. No. 935), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Public Health Law, in relation to establishing a bureau of child hygiene" (Int. No. 936), which was read the first time and referred to the committee on public health.

Mr. Fitzgerald introduced a bill entitled "An act to amend the General Business Law, being chapter twenty of the Consolidated Laws, by adding to article twenty thereof a new section to be numbered section three hundred and twenty-four" (Int. No. 937), which was read the first time and referred to the committee on general laws.

Mr. Sufrin introduced a bill entitled "An act to amend the Labor Law, in relation to bakeries" (Int. No. 938), which was read the first time and referred to the committee on labor and industries.

Also, "An act to create a State insurance fund for the benefit of certain injured employees and their dependents in case of death, and to provide for the administration of the same by a State commission of industrial accident awards" (Int. No. 939), which was read the first time and referred to the committee on ways and means.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. J. A. Smith (No. 545, Int. No. 531), entitled "An act to amend the Code of Civil Procedure, in relation to notice of sale of personal property."

Also, the bill introduced by Mr. Norton (No. 7, Int. No. 7), entitled "An act to repeal certain local laws relating to Washington county."

Also, the bill introduced by Mr. J. A. Smith (No. 327, Int. No. 323), entitled "An act to provide for the purchase of a portrait of Silas Wright for the Executive Chamber, and making an appropriation therefor."

Also, the bill introduced by Mr. Carroll (No. 428, Int. No. 423), entitled "An act to amend the Code of Civil Procedure, in relation to distributive shares of infants."

Also, the bill introduced by Mr. Knight (No. 113, Int. No. 113), entitled "An act to amend the Code of Criminal Procedure, in relation to recovering on forfeited bail," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Small (No. 174, Int. No. 170), entitled "An act to amend the Public Health Law, in relation to the State institute for the study of malignant disease," reported the same with the following recommendations:

Page 1, line 7, strike out "gifts to institute in aid thereof" and insert in italics "gifts to institute in aid thereof".

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McDaniels (No. 726, Int. No. 698), entitled "An act providing for the development and extension of the New York State Veterinary College at Cornell University, and making an appropriation therefor," reported the same with the following recommendation:

Page 2, line 9, strike out "for" and insert "of".

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Judiciary Law, in relation to special terms of the supreme court. (No. 213, Int. No. 210.)

"An act to amend the Code of Civil Procedure, in relation to distributive shares of infants." (No. 428, Int. No. 423.)

"Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the county courts." (No. 121, Int. No. 121.)

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' as amended by chapter three hundred and thirty-nine of the Laws of nineteen hundred and ten, in relation to compensation of jurors in said court." (No. 107, Int. No. 107.)

"An act to amend the Code of Criminal Procedure, in relation to recovering on forfeited bail." (No. 113, Int. No. 113.)

“An act to amend the County Law, in relation to the duties of county auditors.” (No. 545, Int. No. 531.)

“An act to amend chapter fifty-one of the Laws of nineteen hundred and nine, entitled ‘An act in relation to public officers, constituting chapter forty-seven of the Consolidated Laws,’ known as the Public Officers Law.” (No. 710, Int. No. 684.)

“An act to repeal certain local laws relating to Washington county.” (No. 7, Int. No. 7.)

“An act to legalize and confirm the official acts of notaries public and commissioners of deeds.” (No. 600, Int. No. 586.)

“An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled ‘An act to incorporate the city of Oneonta,’ generally.” (No. 832, Int. No. 251.)

“An act to provide for the purchase of a portrait of Silas Wright for the Executive chamber, and making an appropriation therefor.” (No. 327, Int. No. 323.)

“An act to amend section two of the State Law, in relation to boundary lines between the State of New York and the State of Connecticut.” (No. 792, Int. No. 268.)

Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on insurance be discharged from the further consideration of the bill (No. 98, Int. No. 98) entitled “An act to amend the Insurance Law, in relation to misrepresentations by certain insurance corporations.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced,

Mr. Walker moved to amend as follows:

Page 1, lines 8 and 9, strike out the words “or corporations transacting the business of life or casualty insurance, or both,” and insert in italics “, including corporations operating”.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Walker, said bill was ordered reprinted and recommitted to said committee.

Mr. Walker offered for the consideration of the House a resolution, in the words following:



Resolved, That the committee on insurance be discharged from the further consideration of the bill (No. 85, Int. No. 85) entitled "An act to amend the Insurance Law, in relation to surety companies."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced,

Mr. Walker moved to amend as follows:

Page 1, line 7, after the comma following the word "bond" insert a bracket [.

Page 2, line 21, strike out the brackets and the word "accept".

Page 4, line 13, before the period insert a bracket ], and the following in italics: "undertaking, recognizance, guaranty or other obligation is required, permitted, authorized or allowed; or whenever the performance of any act, duty or obligation, or the refraining from any act, is required, permitted, authorized or allowed to be secured or guaranteed, such bond, undertaking, recognizance or other obligation, or such security or guaranty, may be executed by a corporation authorized by the laws of this state and by its charter to execute such instrument; and such corporations are authorized and empowered to execute all such instruments; and the execution by any such corporation of such bond, undertaking, recognizance, guaranty or other obligation by an officer, attorney in fact or other authorized representative shall be sufficient and be accepted as and be a full compliance with every law or other requirement now in force or that may hereafter be enacted or made that such bond, undertaking, recognizance, guaranty or like obligation be required or permitted or be executed by a surety or sureties, or that such surety or sureties be residents, householders or freeholders, or possess any other qualifications".

Line 13, strike out "Nothing herein shall".

Strike out line 14.

Line 23, strike out all of line after the period and insert in italics the following: "The Superintendent of Insurance shall on application issue to any such corporation his certificate or certificates that it is authorized for the ensuing year to become and be accepted, subject to the limitations specified in section twenty-four of this chapter, as surety or guarantor on all bonds, undertakings or obligations specified in section one hundred and eighty-one of this chapter or under any other law or requirement, which certificate shall be conclusive evidence of the solvency of such corporation and of its sufficiency as such surety or guarantor, and



of the propriety of accepting and approving it as such, and be in lieu of any justification required of such corporation by any law or requirement."

Strike out lines 24 and 25.

Strike out all of page 5.

Page 6, strike out lines 1 and 2 and line 3 to and including the period.

Page 6, line 11, strike out "filing a copy with" and insert "mailing notice of revocation prepaid and directed to".

Line 15 strike out all of line after the period.

Strike out lines 16 to 24, inclusive.

Page 8, line 9, strike out "immediately" and insert in place thereof "July first, nineteen hundred and thirteen."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Walker, said bill was ordered reprinted and recommitted to said committee.

The bill (No. 789, Int. No. 36) entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," having been announced,

Mr. Adler moved to amend as follows:

On page 1, line 1, after the word "of" strike out "one hundred and fifty thousand dollars" and insert "one hundred thousand dollars".

On page 1, line 2, strike out figures "(\$150,000)" and insert figures "(\$100,000)".

On page 2, line 11, after the word "of" strike out "one hundred and fifty thousand dollars" and figures "(\$150,000)" and insert "one hundred thousand dollars" and figures "(\$100,000)".

On page 2, line 19, after the word "said" strike out "one hundred and fifty thousand dollars" and figures "(\$150,000)" and insert "one hundred thousand dollars" and figures "(\$100,000)".

On page 3, line 8, after the word "said" strike out "one hundred and fifty thousand dollars" and figures "(\$150,000)" and insert "one hundred thousand dollars" and figures "(\$100,000)".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 771, Int. No. 420) entitled "An act to amend the Code of Criminal Procedure, in relation to new trials," was read the second time.

On motion of Mr. Knight, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 429, Int. No. 424) entitled "An act to amend the Code of Civil Procedure, in relation to service of petition in summary proceedings," was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 704, Int. No. 678) entitled "An act to extend the time for making the final report of the commissioners designated to consolidate, codify and revise the laws relating to the estates of deceased persons and the procedure and practice in surrogates' courts," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 222, Int. No. 219) entitled "An act to amend the Penal Law, in relation to Sunday baseball," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 362, Int. No. 358) entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters," having been announced for a second reading,

On motion of Mr. A. Greenberg, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 214, Int. No. 211) entitled "An act to provide for the repair of the public dock at Willard, Seneca county, used

by the Willard State Hospital, and making an appropriation therefor," was read the second time.

On motion of Mr. Hughes, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 444, Int. No. 439) entitled "An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity, and providing for the improvement thereof," was read the second time.

On motion of Mr. Kennedy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 655, Int. No. 635) entitled "An act to provide for the construction of a bridge over the Black river and Moose river at Lyons Falls, in the county of Lewis, and making appropriations and reappropriations therefor," was read the second time.

On motion of Mr. Van Woert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 307, Int. No. 303) entitled "An act to authorize the board of supervisors of the county of Westchester to issue temporary loan bonds for the purpose of raising money to pay certificates of indebtedness of said county issued pursuant to the provisions of chapter three hundred and forty-two of the Laws of nineteen hundred and two, entitled 'An act to make the office of the supervisor in the county of Westchester a salaried office, and to regulate the sessions of the board of supervisors in said county,' and acts amendatory thereof and supplemental thereto," was read the second time.

On motion of Mr. Yard, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on insurance be discharged from the further consideration of Senate bill (No. 513, Rec. No. 29) entitled "An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign insurance corporation."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Walker, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Walker, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Horton	Maloney	Shepardson
Baumcs	Emden	Hover	McCollum	Silverstein
Baxter	Esquirol	Hughes	McCue	Small
Benninger	Evans	Ingram	McDaniels	Smith J A
Bovie	Fallon	Jackson	McElligott	Squire
Bradley	Farrell	Jones	McGrath	Sufrin
Brereton	Finnigan	Jude	McKee	Sullivan
Brewster	Fitzgerald	Kane	McKeon	Sutphin
Bryant	Fuller	Kelly J A	McMahon	Sweet
Burden	Gage	Kelly J J	Monahan	Tallett
Burr	Gallup	Kelly J D	Norton	Taylor F J
Bush	Garvey	Kelly P J	O'Brien	Taylor T D
Butts	Gathright	Kenney	O'Connor	Telford
Campbell	Geoghan	Kennedy	Oxford	Tudor
Carroll	Geyer	Kerrigan	Patrie	Ulrich
Carver	Gibbs	Kiernan	Pembleton	Van Woert
Caughlan	Gillen	Knight	Phillips	Vert
Cole	Gillett	Knott	Prime	Volk
Cotillo	Goldberg	Kornobis	Pullman	Walker
Cronin	Grace	Lane	Richardson	Ward
Cuvillier	Greenberg A	Larrimer	Robinson	Webb
Daley	Grimme	Levy	Rozan	Weil
Denney	Gurnett	Lewis	Schaap	Willard
Donohue	Hamilton	Macdonald	Schnirel	Willmott
Dorst	Hammer	Machold	Schwarz	Wood
Doty	Hearn	Madden	Seaker	Yale
Dox	Heyman	Magee	Seely J L	Yard
Edwards	Hopkins	Malone	Seelye G T	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 658, Int. No. 91) entitled "An act to amend the Insurance Law, in relation to the revocation of the certificate of authority of a foreign insurance corporation," having been announced for a third reading,

On motion of Mr. Walker, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 96, Int. No. 96) entitled "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations," having been announced for a third reading,

On motion of Mr. Walker, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

Mr. J. A. Smith offered for the consideration of the House a resolution, in the words following:

Whereas, The State incurs a heavy annual expense in heating and lighting the Capitol, the Education Building, the State House, the Executive Mansion, the Agricultural and Geological Hall, and other buildings rented for office purposes in the city of Albany; and,

Whereas, The Conservation Commission has reported that the State has undeveloped water power in connection with the Barge canal at Vischer's Ferry and Crescent falls with a combined water power capacity of 12,000 horse power at low water, and that the same can be developed at a comparatively low figure.

Resolved (if the Senate concur), That the State Architect be requested to furnish an estimate of installing electric radiators throughout the Capitol, the Educational Building, the State House, Executive Mansion, the Agricultural and Geological Hall, and other buildings rented and occupied by the State, to the end that the State may save this large expense for heating and lighting by the development of water power at Vischer's Ferry and Crescent falls, and so lessen the burden of taxation upon the taxpayers of the State.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, By reason of the establishment of the Parcel Post and the increase of the United States mail, the letter carriers are compelled to work longer, and their compensation is unequal in proportion to similar work of other public employees, and they are not subject to pensions after long and faithful service, though they are required to be men of the highest character, and they are exposed to the elements; and,

Whereas, It is the duty of the United States to protect these faithful employees, in better compensation and a future maintenance in the way of pensions after long service.

Resolved (if the Senate concur), That it is the sense of the Legislature that the Congress should do all in its power to increase their compensation and provide a pension for the letter carriers, the same as provided for other faithful public servants in other departments of government; and be it further

Resolved (if the Senate concur), That our Representatives in Congress use their best endeavors in behalf of the betterment of letter carriers of the United States; and that a copy of this resolution be sent to the Postmaster-General and the Representatives in Congress from the State of New York.

Said resolution giving rise to debate, ordered that the same be laid upon the table.

Mr. Eisner offered for the consideration of the House a resolution, in the words following:

Whereas, The New York Central and Hudson River railroad maintains along Riverside drive in the city of New York tracks over which run heavy freight trains drawn by powerful locomotives; and,

Whereas, The said locomotives give vent to great noise and smoke whereby the peace and rest of residents along said Riverside drive and West End avenue are disturbed; and,

Whereas, The section so affected is one of the best residential parts of the city; and,

Whereas, Owing to the aforesaid conditions, property values are decreased and are injuriously affected; and,

Whereas, Complaint has frequently been made concerning the said state of affairs but no action to remedy the same has ever been taken, resulting in great dissatisfaction and annoyance; now, therefore, be it

Resolved, That the Public Service Commission for the First District be and it is hereby authorized and directed to report to the Legislature, as to the feasibility of bringing such proceedings as may be necessary to compel the substitution of electric engines in the place of steam engines along Riverside drive, in the borough of Manhattan, city of New York, between Seventy-second street and Spuyten Duyvil, and if in the opinion of the Public Service Commission legislation is necessary to accomplish this end, the Public Service Commission is hereby authorized and directed to submit to the Legislature within twenty days its recommendations as to such proposed legislation.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Butts offered for the consideration of the House a resolution, in the words following:

Be it resolved, That 3,500 copies of the Second Annual Report of the Department of State Fire Marshals be printed for the use and distribution of said department.

which was referred to the committee on public printing.

Pursuant to notice, Mr. Sufrin called up his resolution in regard to the conditions and treatment of Jews in Roumania introduced January 27th, and laid over under the rule.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to notice, Mr. Hamilton called up his resolution in reference to Panama canal tolls introduced February 3rd, and laid over under the rule.

Debate was had thereon.

Mr. Phillips moved that said resolution be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. McCue gives notice that on Monday, February 17th, he will call up the resolution introduced by Mr. Cuvillier January 13th, and laid over under the rule.

Messrs. T. K. Smith of Onondaga, M. Smith of Dutchess and Allen of Oneida were excused for the week.

On motion of Mr. Levy, the House adjourned.

## TUESDAY, FEBRUARY 11, 1913.

The House met pursuant to adjournment.

Prayer by Rev. W. M. Gage.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Butts introduced a bill entitled "An act to provide for an investigation of the production and the diseases of hops in the State of New York, and making an appropriation therefor" (Int. No. 940), which was read the first time and referred to the committee on ways and means.

Mr. Donohue introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to expediting the disposition of claims against the State by appointment of additional commissioners of the Board of Claims" (Int. No. 941), which was read the first time and referred to the committee on codes.

Mr. Doty introduced a bill entitled "An act to amend the Railroad Law, in relation to the regulation of hours of labor on certain railroads, and to repeal section seven of the Labor Law" (Int. No. 942), which was read the first time and referred to the committee on railroads.

Mr. Garvey introduced a bill entitled "An act to amend the Penal Law, in relation to injury to property" (Int. No. 943), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to the action of grand juries" (Int. No. 944), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to drawing grand juries in the county of Kings" (Int. No. 945), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to the appointment of stenographers to take evidence before grand juries and at coroner's inquests and examinations and trials of criminal cases" (Int. No. 946), which was read the first time and referred to the committee on codes.



Also, "An act to amend chapter seven hundred and seventy-two of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to the office of the district attorney of the county of Kings providing for the election of district attorney, and the appointment of clerks, stenographers and county detectives for said office,' in relation to clerks in such office" (Int. No. 947), which was read the first time and referred to the committee on the judiciary.

Mr. A. Greenberg introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to the number of deputy clerks in the court of general sessions of the city and county of New York" (Int. No. 948), which was read the first time and referred to the committee on codes.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the vacation of judgments and the removal of causes" (Int. No. 949), which was read the first time and referred to the committee on codes.

Mr. Small introduced a bill entitled "An act providing for the erection of a State armory and stable in the city of Buffalo, the acquisition of a site therefor, and making an appropriation for building said armory and stable" (Int. No. 950), which was read the first time and referred to the committee on ways and means.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to the incorporation of fire insurance corporations" (Int. No. 951), which was read the first time and referred to the committee on insurance.

Mr. Yeomans introduced a bill entitled "An act to amend the Highway Law, in relation to the course and description of route twenty of the State highway system" (Int. No. 952), which was read the first time and referred to the committee on internal affairs.

Mr. Dennen introduced a bill entitled "An act to amend the Greater New York charter, in relation to compensation of city employees" (Int. No. 953), which was read the first time and referred to the committee on affairs of cities.

Mr. Emden introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to local option" (Int. No. 954),

which was read the first time and referred to the committee on excise.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the removal of causes" (Int. No. 955), which was read the first time and referred to the committee on codes.

Mr. J. J. Kelly introduced a bill entitled "An act to amend the Greater New York charter, in relation to an additional municipal court justice for the borough of Brooklyn" (Int. No. 956), which was read the first time and referred to the committee on affairs of cities.

Mr. Kennedy introduced a bill entitled "An act to amend chapter six hundred and sixty-seven of the Laws of eighteen hundred and sixty-eight, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point, generally'" (Int. No. 957), which was read the first time and referred to the committee on the judiciary.

Mr. Hearn introduced a bill entitled "An act to expedite the work of improving the Oswego canal by providing for the suspension of navigation on a portion thereof during the season of nineteen hundred and thirteen" (Int. No. 958), which was read the first time and referred to the committee on canals.

Mr. Sufrin introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to return of jury and jurors' fees" (Int. No. 959), which was read the first time and referred to the committee on codes.

Also, "An act to amend the General Business Law, in relation to sales of goods in bulk to auctioneers" (Int. No. 960), which was read the first time and referred to the committee on general laws.

Mr. Macdonald introduced a bill entitled "An act to amend the Town Highway Law, relative to claims for damages resulting from defective highways" (Int. No. 961), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Town Law, in relation to the compensation of assessors" (Int. No. 962), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Town Law, in relation to the compensation of inspectors of election, ballot clerks and poll clerks" (Int. No. 963), which was read the first time and referred to the committee on the judiciary.

Mr. Yard introduced a bill entitled "An act to amend chapter six hundred and sixty-seven of the Laws of nineteen hundred and ten, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining,' in relation to sewer assessment bonds" (Int. No. 964), which was read the first time and referred to the committee on affairs of villages.

Mr. Gibbs introduced a bill entitled "An act to amend the Labor Law, in relation to hotel and hospital laundries" (Int. No. 965), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to hours of labor of women in factories" (Int. No. 966), which was read the first time and referred to the committee on labor and industries.

Mr. Jackson introduced a bill entitled "An act to amend the Labor Law, in relation to fire-escapes and exits in existing factories; the future construction of factory buildings; and the limitation of the number of occupants in factories" (Int. No. 967), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to bakeries" (Int. No. 968), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to protecting the lives, health and safety of employees in dangerous trades" (Int. No. 969), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to the manufacture of articles in tenement houses" (Int. No. 970), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Greater New York charter, in relation to the better prevention of fires" (Int. No. 971), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Public Health Law, in relation to the sale of wood alcohol" (Int. No. 972), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to the protection of employees operating machinery, dust creating machinery, and the lighting of factories and workrooms" (Int. No. 973), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the labor law, in relation to employment certificates" (Int. No. 974), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to the employment of women in canning establishments" (Int. No. 975), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to wash-rooms, dressing rooms and water closets in factories" (Int. No. 976), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Educational Law, in relation to school-record certificates" (Int. No. 977), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to the extension of the jurisdiction of the Department of Labor over mercantile establishments in cities of the second class" (Int. No. 978), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to ventilation in factories and the removal of impurities and of excessive heat therein" (Int. No. 979), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Penal Law, in relation to violations of provisions of the Labor Law, the industrial code, the rules and regulations of the industrial board of the Department of Labor and the orders of the Commissioner of Labor" (Int. No. 980), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to the hous-

ing of factory employees" (Int. No. 981), which was read the first time and referred to the committee on labor and industries.

Mr. Garvey, from the committee on public printing, to which was referred the resolution relative to printing additional copies of the report of the Bureau of Labor, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That twenty thousand additional copies of that part of the annual report of the Bureau of Labor and Statistics for the year nineteen hundred and eleven, constituting the history of Typographical Union No. 6, be printed and distributed as follows: Seventy-five copies to each member of the Senate, fifty copies to each member of the Assembly and the balance to the Commissioner of Labor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hearn	Madden	Silverstein
Baumes	Eisner	Heyman	Magee	Small
Baxter	Emden	Hinman	Malone	Smith J A
Benninger	Esquirol	Hopkins	Maloney	Squire
Bovie	Evans	Horton	McCollum	Sufrin
Bradley	Fallon	Hover	McCue	Sullivan
Brereton	Farrell	Hughes	McDaniels	Sutphin
Brewster	Fitzgerald	Ingram	McElligott	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fuller	Jones	McMahon	Taylor T D
Burr	Gage	Jude	Monahan	Telford
Bush	Gallup	Kane	Norton	Tudor
Butts	Garvey	Kelly J A	O'Brien	Ulrich
Carroll	Gathright	Kelly J D	O'Connor	Van Woert
Carver	Geoghan	Kelly P J	Patrie	Vert
Caughlan	Geyer	Kenney	Phillips	Volk
Cole	Gibbs	Kennedy	Pullman	Walker
Cotillo	Gillett	Kerrigan	Richardson	Ward
Cronin	Goldberg	Kiernan	Robinson	Webb
Cuvillier	Grace	Knight	Rozan	Weil
Daley	Greenberg A	Knott	Schaap	Willard
Deits	Greenberg M	Kornobis	Schnirel	Willmott
Dennen	Grimme	Lane	Schwarz	Wood
Donohue	Gurnett	Larrimer	Seaker	Yale
Dorst	Hamilton	Levy	Seely J L	Yard
Doty	Hammer	Lewis	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Maloney (No. 833, Int. No. 114), entitled "An act to amend the Membership Corporations Law, to prohibit the formation of cemetery corporations to operate in the county of Nassau, and to prohibit the acquiring, setting apart or using of land for cemetery purposes in said county except for family cemeteries," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

The bill (No. 421, Int. No. 419) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to body execution for the nonpayment of certain judgments of the municipal court," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 561, Int. No. 547) entitled "An act to amend the charter of the city of Oneida, in relation to the payment of claims," was read the second time.

On motion of Mr. Tallett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 833, Int. No. 114) entitled "An act to amend the Membership Corporations Law, to prohibit the formation of cemetery corporations to operate in the county of Nassau, and to prohibit the acquiring, setting apart or using of land for cemetery purposes in said county except for family cemeteries," was read the second time.

On motion of Mr. Maloney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 901, Int. No. 214) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the palisades of the

Hudson river for an interstate park, and thereby to preserve the scenery of the palisades,' generally," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 838, Int. No. 633) entitled "An act to provide for a permanent fund for the payment of annuities on the retirement of officers of State hospitals for the insane," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 837, Int. No. 647) entitled "An act to amend the General Business Law, in relation to standard barrels for pears and quinces," having been announced for a second reading,

On motion of Mr. Levy, said bill was recommitted to the committee on agriculture, retaining its place on the order of second reading.

The bill (No. 836, Int. No. 63) entitled "An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester," having been announced,

Mr. Bovie moved to amend as follows:

Page 2, line 27, strike out "a" and insert "c"; strike out the word "this"; after the word "section" insert "1 of this act".

Page 3, line 21, strike out "section" and insert "act."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time and, on motion of Mr. Bovie, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 835, Int. No. 676) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to fees for service of process," was read the second time.

On motion of Mr. Silverstein, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 839, Int. No. 61) entitled "An act to amend the Code of Civil Procedure, relative to the manner of serving cita-



tions on judicial accounting where the number of persons to be served exceeds fifty," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 704, Int. No. 678) entitled "An act to extend the time for making the final report of the commissioners designated to consolidate, codify and revise the laws, relating to the estates of deceased persons and the procedure and practice in surrogates' courts," was read the second time.

On motion of Mr. Deitz, and by unanimous consent, said bill was placed on the order of third reading.

On motion of Mr. Deitz, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hearn	Madden	Silverstein
Baumes	Eisner	Heyman	Magee	Small
Baxter	Emden	Hinman	Malone	Smith J A
Benninger	Esquirol	Hopkins	Maloney	Squire
Bovie	Evans	Horton	McCollum	Sufrin
Bradley	Fallon	Hover	McCue	Sullivan
Brereton	Farrell	Hughes	McDaniels	Sutphin
Brewster	Finnigan	Ingram	McElligott	Sweet
Bryant	Fitzgerald	Jackson	McKee	Taylor F J
Burden	Fuller	Jones	McMahon	Taylor T D
Burr	Gage	Jude	Monahan	Telford
Bush	Gallup	Kane	Norton	Tudor
Butts	Garvey	Kelly J A	O'Brien	Ulrich
Carroll	Gathright	Kelly J D	O'Connor	Van Woert
Carver	Geoghan	Kelly P J	Patrie	Vert
Caughlan	Geyer	Kenney	Phillips	Volk
Cole	Gibbs	Kennedy	Pullman	Walker
Cotillo	Gillett	Kerrigan	Richardson	Ward
Cronin	Goldberg	Kiernan	Robinson	Webb
Cuvillier	Grace	Knight	Rozan	Weil
Daley	Greenberg A	Knott	Schaap	Willard
Deitz	Greenberg M	Kornobis	Schnirel	Willmott
Dennen	Grimme	Lane	Schwarz	Wood
Donohue	Gurnett	Larrimer	Seaker	Yale
Dorst	Hamilton	Levy	Seely J L	Yard
Doty	Hammer	Lewis	Seelye G T	Yeomans
Dox				



Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 362, Int. No. 358) entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters," was read the second time.

On motion of Mr. A. Greenberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 770, Int. No. 478) entitled "An act to supplement the provisions of law relating to the department of public works of the city of Syracuse," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hearn	Madden	Silverstein
Baumes	Eisner	Heyman	Magee	Small
Baxter	Emden	Hinman	Malone	Smith J A
Benninger	Esquirol	Hopkins	Maloney	Squire
Bovie	Evans	Horton	McCue	Sufrin
Bradley	Fallon	Hover	McCollum	Sullivan
Brereton	Farrell	Hughes	McDaniels	Sutphin
Brewster	Finnigan	Ingram	McElligott	Sweet
Bryant	Fitzgerald	Jackson	McKee	Taylor F J
Burden	Fuller	Jones	McMahon	Taylor T D
Burr	Gage	Jude	Monahan	Telford
Bush	Gallup	Kane	Norton	Tudor
Butts	Garvey	Kelly J A	O'Brien	Ulrich
Carroll	Gathright	Kelly J D	O'Connor	Van Woert
Carver	Geoghan	Kelly P J	Patrie	Vert
Caughlan	Geyer	Kenney	Phillips	Volk
Cole	Gibbs	Kennedy	Pullman	Walker
Cotillo	Gillett	Kerrigan	Richardson	Ward
Cronin	Goldberg	Kiernan	Robinson	Webb
Cuvillier	Grace	Knight	Rozan	Weil
Daley	Greenberg A	Knott	Schaap	Willard
Deitz	Greenberg M	Kornobis	Schnirel	Willmott
Dennen	Grimme	Lane	Schwarz	Wood
Donohue	Gurnett	Larrimer	Seaker	Yale
Dorst	Hamilton	Levy	Seely J L	Yard
Doty	Hammer	Lewis	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on Insurance be discharged from the further consideration of the Senate bill (No. 56, Rec. No. 13) entitled "An act to amend the Insurance Law, in relation to brokers."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Walker, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Walker, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hearn	Madden	Silverstein
Baumes	Eisner	Heyman	Magee	Small
Baxter	Emden	Hinman	Malone	Smith J A
Benninger	Esquirol	Hopkins	Maloney	Squire
Bovie	Evans	Horton	McCue	Sufrin
Bradley	Fallon	Hover	McCollum	Sullivan
Brereton	Farrell	Hughes	McDaniels	Sutphin
Brewster	Finnigan	Ingram	McElligott	Sweet
Bryant	Fitzgerald	Jackson	McKee	Taylor F J
Burden	Fuller	Jones	McMahon	Taylor T D
Burr	Gage	Jude	Monahan	Telford
Bush	Gallup	Kane	Norton	Tudor
Butts	Garvey	Kelly J A	O'Brien	Ulrich
Carroll	Gathright	Kelly J D	O'Connor	Van Woert
Carver	Geoghan	Kelly P J	Patrie	Vert
Caughlan	Geyer	Kenney	Phillips	Volk
Cole	Gibbs	Kennedy	Pullman	Walker
Cotillo	Gillett	Kerrigan	Richardson	Ward
Cronin	Goldberg	Kiernan	Robinson	Webb
Cuvillier	Grace	Knight	Rozan	Weil
Daley	Greenberg A	Knott	Schaap	Willard
Deitz	Greenberg M	Kornobis	Schnirel	Willmott
Dennen	Grimme	Lane	Schwarz	Wood
Donohue	Gurnett	Larrimer	Seaker	Yale
Dorst	Hamilton	Levy	Seely J L	Yard
Doty	Hammer	Lewis	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 791, Int. No. 93) entitled "An act to amend the Insurance Law, in relation to brokers," having been announced for a third reading,

On motion of Mr. Walker, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 792, Int. No. 268) entitled "An act to amend section two of the State Law, in relation to boundary lines between the State of New York and the State of Connecticut," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hearn	Madden	Silverstein
Baumes	Eisner	Heyman	Magee	Small
Baxter	Emden	Hinman	Malone	Smith J A
Benninger	Esquirol	Hopkins	Maloney	Squire
Bovie	Evans	Horton	McCollum	Sufrin
Bradley	Fallon	Hover	McCue	Sullivan
Brereton	Farrell	Hughes	McDaniels	Sutphin
Brewster	Finnigan	Ingram	McElligott	Sweet
Bryant	Fitzgerald	Jackson	McKee	Taylor F J
Burden	Fuller	Jones	McMahon	Taylor T D
Burr	Gage	Jude	Monahan	Telford
Bush	Gallup	Kane	Norton	Tudor
Butts	Garvey	Kelly J A	O'Brien	Ulrich
Carroll	Gathright	Kelly J D	O'Connor	Van Woert
Carver	Geoghan	Kelly P J	Patrie	Vert
Caughlan	Geyer	Kenney	Phillips	Volk
Cole	Gibbs	Kennedy	Pullman	Walker
Cotillo	Gillett	Kerrigan	Richardson	Ward
Cronin	Goldberg	Kiernan	Robinson	Webb
Cuvillier	Grace	Knight	Rozan	Weil
Daley	Greenberg A	Knott	Schaap	Willard
Deitz	Greenberg M	Kornobis	Schnirel	Willmott
Dennen	Grimme	Lane	Schwarz	Wood
Donohue	Gurnett	Larrimer	Seaker	Yale
Dorst	Hamilton	Levy	Seely J L	Yard
Doty	Hammer	Lewis	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on insurance be discharged from the further consideration of the Senate bill (No. 362, Rec. No. 15), entitled "An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Walker, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Walker, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 790, Int. No. 150) entitled "An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance," having been announced for a third reading,

On motion of Mr. Walker, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 121, Int. No. 121) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fourteen of article six of the Constitution, in relation to the county court," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

A ller	Dox	Hearn	Magee	S lverstein
Baumes	Edwards	Heyman	Malone	Small
Baxter	Eisner	Hinman	Maloney	Smith J A
Benninger	Emden	Hopkins	McCue	Squire

Bovie	Esquirol	Horton	McCollum	Sufrin
Bradley	Evans	Hover	McDaniels	Sullivan
Brereton	Fallon	Hughes	McElligott	Sutphin
Brewster	Farrell	Ingram	McGrath	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McKeon	Taylor T D
Burr	Fuller	Jude	McMahon	Telford
Bush	Gage	Kane	Monahan	Tudor
Butts	Gallup	Kelly J A	Norton	Ulrich
Carroll	Garvey	Kelly J D	O'Brien	Van Woert
Carver	Gathright	Kelly P J	O'Connor	Vert
Caughlan	Geoghan	Kenney	Patrie	Volk
Cole	Geyer	Kennedy	Phillips	Walker
Cotillo	Gibbs	Kerrigan	Pullman	Ward
Cronin	Gillett	Kiernan	Richardson	Webb
Cuvillier	Goldberg	Knight	Robinson	Weil
Daley	Grace	Knott	Rozan	Willard
Deitz	Greenberg A	Kornobis	Schaap	Willmott
Dennen	Greenberg M	Lane	Schnirel	Wood
Denney	Grimme	Larrimer	Schwarz	Yale
Donohue	Gurnett	Levy	Seaker	Yard
Dorst	Hamilton	Lewis	Seely J L	Yeomans
Doty	Hammer	Madden	Seelye G T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 710, Int. No. 684) entitled "An act to amend chapter fifty-one of the Laws of nineteen hundred and nine, entitled 'An act in relation to public officers constituting chapter forty-seven of the Consolidated Laws,' known as the Public Officers Law," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hearn	Magee	Silverstein
Baumes	Edwards	Heyman	Malone	Small
Baxter	Eisner	Hinman	Maloney	Smith J A
Benninger	Emden	Hopkins	McCue	Squire
Bovie	Esquirol	Horton	McCollum	Sufrin
Bradley	Evans	Hover	McDaniels	Sullivan
Brereton	Fallon	Hughes	McElligott	Sutphin
Brewster	Farrell	Ingram	McGrath	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McKeon	Taylor T D
Burr	Fuller	Jude	McMahon	Telford
Bush	Gage	Kane	Monahan	Tudor

Butts	Gallup	Kelly J A	Norton	Ulrich
Carroll	Garvey	Kelly J D	O'Brien	Van Woert
Carver	Gathright	Kelly P J	O'Connor	Vert
Caughlan	Geoghan	Kenney	Patrie	Volk
Cole	Geyer	Kennedy	Phillips	Walker
Cotillo	Gibbs	Kerrigan	Pullman	Ward
Cronin	Gillett	Kiernan	Richardson	Webb
Cuvillier	Goldberg	Knight	Robinson	Weil
Daley	Grace	Knott	Rozan	Willard
Deitz	Greenberg A	Kornobis	Schaap	Willmott
Dennen	Greenberg M	Lane	Schnirel	Wood
Denney	Grimme	Larrimer	Schwarz	Yale
Donohue	Gurnett	Levy	Seaker	Yard
Dorst	Hamilton	Lewis	Seely J L	Yeomans
Doty	Hammer	Madden	Seelye G T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 600, Int. No. 586) entitled "An act to legalize and confirm the official acts of notaries public and commissioners of deeds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hearn	Magee	Silverstein
Baumes	Edwards	Heyman	Malone	Small
Baxter	Eisner	Hinman	Maloney	Smith J A
Benninger	Emden	Hopkins	McCue	Squire
Bovie	Esquirol	Horton	McCollum	Sufrin
Bradley	Evans	Hover	McDaniels	Sullivan
Brereton	Fallon	Hughes	McElligott	Sutphin
Brewster	Farrell	Ingram	McGrath	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McKeon	Taylor T D
Burr	Fuller	Jude	McMahon	Telford
Bush	Gage	Kane	Monahan	Tudor
Butts	Gallup	Kelly J A	Norton	Ulrich
Carroll	Garvey	Kelly J D	O'Brien	Van Woert
Carver	Gathright	Kelly P J	O'Connor	Vert
Caughlan	Geoghan	Kenney	Patrie	Volk
Cole	Geyer	Kennedy	Phillips	Walker
Cotillo	Gibbs	Kerrigan	Pullman	Ward
Cronin	Gillett	Kiernan	Richardson	Webb
Cuvillier	Goldberg	Knight	Robinson	Weil
Daley	Grace	Knott	Rozan	Willard
Deitz	Greenberg A	Kornobis	Schaap	Willmott

Dennen	Greenberg M	Lane	Schnirel	Wood
Denney	Grimme	Larrimer	Schwarz	Yale
Donohue	Gurnett	Levy	Seaker	Yard
Dorst	Hamilton	Lewis	Seely J L	Yeomans
Doty	Hammer	Madden	Seelye G T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 107, Int. No. 107) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled "An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers," as amended by chapter three hundred and thirty-nine of the Laws of nineteen hundred and ten, in relation to compensation of jurors in said court," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hearn	Magee	Silverstein
Baumes	Edwards	Heyman	Malone	Small
Baxter	Eisner	Hinman	Maloney	Smith J A
Benninger	Emden	Hopkins	McCue	Squire
Bovie	Esquirol	Horton	McCollum	Sufrin
Bradley	Evans	Hover	McDaniels	Sullivan
Brereton	Fallon	Hughes	McElligott	Sutphin
Brewster	Farrell	Ingram	McGrath	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McKeon	Taylor T D
Burr	Fuller	Jude	McMahon	Telford
Bush	Gage	Kane	Monahan	Tudor
Butts	Gallup	Kelly J A	Norton	Ulrich
Carroll	Garvey	Kelly J D	O'Brien	Van Woert
Carver	Gathright	Kelly P J	O'Connor	Vert
Caughlan	Geoghan	Kenney	Patrie	Volk
Cole	Geyer	Kennedy	Phillips	Walker
Cotillo	Gibbs	Kerrigan	Pullman	Ward
Cronin	Gillett	Kiernan	Richardson	Webb .
Cuvillier	Goldberg	Knight	Robinson	Weil
Daley	Grace	Knott	Rozan	Willard
Deitz	Greenberg A	Kornobis	Schaap	Willmott
Dennen	Greenberg M	Lane	Schnirel	Wood
Denney	Grimme	Larrimer	Schwarz	Yale
Donohue	Gurnett	Levy	Seaker	Yard
Dorst	Hamilton	Lewis	Seely J L	Yeomans
Doty	Hammer	Madden	Seelye G T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 213, Int. No. 210) entitled "An act to amend the Judiciary Law, in relation to Special Terms of the Supreme Court," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hearn	Magee	Silverstein
Baumes	Edwards	Heyman	Malone	Small
Baxter	Eisner	Hinman	Maloney	Smith J A
Benninger	Emden	Hopkins	McCue	Squire
Bovie	Esquirol	Horton	McCollum	Sufrin
Bradley	Evans	Hover	McDaniels	Sullivan
Brereton	Fallon	Hughes	McElligott	Sutphin
Brewster	Farrell	Ingram	McGrath	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McKeon	Taylor T D
Burr	Fuller	Jude	McMahon	Telford
Bush	Gage	Kane	Monahan	Tudor
Butts	Gallup	Kelly J A	Norton	Ulrich
Carroll	Garvey	Kelly J D	O'Brien	Van Woert
Carver	Gathright	Kelly P J	O'Connor	Vert
Caughlan	Geoghan	Kenney	Patrie	Volk
Cole	Geyer	Kennedy	Phillips	Walker
Cotillo	Gibbs	Kerrigan	Pullman	Ward
Cronin	Gillett	Kiernan	Richardson	Webb
Cuvillier	Goldberg	Knight	Robinson	Weil
Daley	Grace	Knott	Rozan	Willard
Deitz	Greenberg A	Kornobis	Schaap	Willmott
Dennen	Greenberg M	Lane	Schnirel	Wood
Denney	Grimme	Larrimer	Schwarz	Yale
Donohue	Gurnett	Levy	Seaker	Yard
Dorst	Hamilton	Lewis	Seely J L	Yeomans
Doty	Hammer	Madden	Seelye G T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Carroll offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on codes be discharged from the further consideration of the Senate bill (No. 370, Rec. No. 20) entitled "An act to amend the Code of Civil Procedure, in relation to distributive shares of infants."



Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Carroll, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Carroll, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hearn	Madden	Silverstein
Baumes	Eisner	Heyman	Magee	Small
Baxter	Emden	Hinman	Malone	Smith J A
Benninger	Esquirol	Hopkins	Maloney	Squire
Bovie	Evans	Horton	McCue	Sufrin
Bradley	Fallon	Hover	McCollum	Sullivan
Brereton	Farrell	Hughes	McDaniels	Sutphin
Brewster	Finnigan	Ingram	McElligott	Sweet
Bryant	Fitzgerald	Jackson	McKee	Taylor F J
Burden	Fuller	Jones	McMahon	Taylor T D
Burr	Gage	Jude	Monahan	Telford
Bush	Gallup	Kane	Norton	Tudor
Butts	Garvey	Kelly J A	O'Brien	Ulrich
Carroll	Gathright	Kelly J D	O'Connor	Van Woert
Carver	Geoghan	Kelly P J	Patrie	Vert
Caughlan	Geyer	Kenney	Phillips	Volk
Cole	Gibbs	Kennedy	Pullman	Walker
Cotillo	Gillett	Kerrigan	Richardson	Ward
Cronin	Goldberg	Kiernan	Robinson	Webb
Cuvillier	Grace	Knight	Rozan	Weil
Daley	Greenberg A	Knott	Schaap	Willard
Deitz	Greenberg M	Kornobis	Schnirel	Willmott
Dennen	Grimme	Lane	Schwarz	Wood
Donohue	Gurnett	Larrimer	Seaker	Yale
Dorst	Hamilton	Levy	Seely J L	Yard
Doty	Hammer	Lewis	Seeley G T	Yeomans
Dox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 428, Int. No. 423) entitled "An act to amend the Code of Civil Procedure, in relation to distributive shares of infants," having been announced for a third reading,

On motion of Mr. Carroll, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 113, Int. No. 113) entitled "An act to amend the Code of Criminal Procedure, in relation to recovering on forfeited bail," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hearn	Magee	Silverstein
Baumes	Edwards	Heyman	Malone	Small
Baxter	Eisner	Hinman	Maloney	Smith J A
Benninger	Emden	Hopkins	McCue	Squire
Bovie	Esquirol	Horton	McCollum	Sufrin
Bradley	Evans	Hover	McDaniels	Sullivan
Brereton	Fallon	Hughes	McElligott	Sutphin
Brewster	Farrell	Ingram	McGrath	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McKeon	Taylor T D
Burr	Fuller	Jude	McMahon	Telford
Bush	Gage	Kane	Monahan	Tudor
Butts	Gallup	Kelly J A	Norton	Ulrich
Carroll	Garvey	Kelly J D	O'Brien	Van Woert
Carver	Gathright	Kelly P J	O'Connor	Vert
Caughlan	Geoghan	Kenney	Patrie	Volk
Cole	Geyer	Kennedy	Phillips	Walker
Cotillo	Gibbs	Kerrigan	Pullman	Ward
Cronin	Gillett	Kiernan	Richardson	Webb
Cuvillier	Goldberg	Knight	Robinson	Weil
Daley	Grace	Knott	Rozan	Willard
Deitz	Greenberg A	Kornobis	Schaap	Willmott
Dennen	Greenberg M	Lane	Schnirel	Wood
Denney	Grimme	Larrimer	Schwarz	Yale
Donohue	Gurnett	Levy	Seaker	Yard
Dorst	Hamilton	Lewis	Seely J L	Yeomans
Doty	Hammer	Madden	Seelye G T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 7, Int. No. 7) entitled "An act to repeal certain local laws, relating to Washington county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hearn	Magee	Silverstein
Baumes	Edwards	Heyman	Malone	Small
Baxter	Eisner	Hinman	Maloney	Smith J A
Benninger	Emden	Hopkins	McCue	Squire
Bovie	Esquirol	Horton	McCollum	Sufrin
Bradley	Evans	Hover	McDaniels	Sullivan
Brereton	Fallon	Hughes	McElligott	Sutphin
Brewster	Farrell	Ingram	McGrath	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McKeon	Taylor T D
Burr	Fuller	Jude	McMahon	Telford
Bush	Gage	Kane	Monahan	Tudor
Butts	Gallup	Kelly J A	Norton	Ulrich
Carroll	Garvey	Kelly J D	O'Brien	Van Woert
Carver	Gathright	Kelly P J	O'Connor	Vert
Caughlan	Geoghan	Kenney	Patrie	Volk
Cole	Geyer	Kennedy	Phillips	Walker
Cotillo	Gibbs	Kerrigan	Pullman	Ward
Cronin	Gillett	Kiernan	Richardson	Webb
Cuvillier	Goldberg	Knight	Robinson	Weil
Daley	Grace	Knott	Rozan	Willard
Deitz	Greenberg A	Kornobis	Schaap	Willmott
Dennen	Greenberg M	Lane	Schnirel	Wood
Denney	Grimme	Larrimer	Schwarz	Yale
Donohue	Gurnett	Levy	Seaker	Yard
Dorst	Hamilton	Lewis	Seely J L	Yeomans
Doty	Hammer	Madden	Seelye G T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The hour of twelve o'clock noon having arrived, Mr. Speaker announced that pursuant to law and agreeable to a joint resolution of the Senate and Assembly the Assembly would now proceed to nominate a candidate for Regent of the University to fill the unexpired term of Whitelaw Reid, deceased, whose term of office would have expired on the 31st day of March, 1913. Also a candidate for Regent of the University for a term of twelve years beginning on the first day of April, 1913.

Whereupon in open session each member as his name was called by the Clerk rose in his place and by viva voce vote named the following for Regent of the University to fill the unexpired term of Whitelaw Reid, deceased.

## FOR CHARLES B. ALEXANDER.

Bovie	Doty	Grimme	Levy	Schifferdecker
Brewster	Dox	Garnett	Lewis	Schwarz
Burden	Fisner	Hamilton	Madden	Seely J L
Burr	Emden	Hammer	McCue	Silverstein
Bush	Esquirol	Hearn	McCollum	Small
Butts	Evans	Hover	McDaniels	Smith A E
Carroll	Fallon	Ingram	McElligott	Sutphin
Carver	Finnigan	Jackson	McGrath	Taylor T D
Caughlan	Fitzgerald	Kelly J A	McKee	Telford
Cole	Gallup	Kelly J J	McKeon	Ulrich
Cronin	Garvey	Kelly J D	McMahon	Van Woert
Cuvillier	Gathright	Kelly P J	Monahan	Walker
Daley	Geoghan	Kennedy	O'Connor	Ward
Deitz	Geyer	Kerrigan	Oxford	Weil
Dennen	Gibbs	Knott	Patrie	Willard
Denney	Gillen	Korjobis	Robinson	Willmott
Dcnohue	Goldberg	Larrimer	Rozan	Yard
Dorst	Greenberg A			87

## FOR SETH LOW.

Ad'ler	Fuller	Jones	Schnirel	Sweet
Baumes	Gage	Knight	Seaker	Vart
Baxter	Gillett	Macdonald	Seelye G T	Webb
Bradley	Grace	Magee	Shepardson	Wood
Brereton	Hinman	Norton	Smith J A	Yale
Bryant	Hopkins	Phillips	Sullivan	Yeomans
Edwards	Horton	Richardson		33

## FOR HENRY L. STODDARD.

Schaapp	Sufria	2
Whole number of votes.....		122
Charles B. Alexander received.....		87
Seth Low received.....		33
Henry L. Stoddard received.....		2

A quorum of all the members elected to the Assembly having voted, and a majority having named Charles B. Alexander as their choice, Mr. Speaker declared that Charles B. Alexander of the city and county of New York had been duly elected on the part of the Assembly as a candidate for the office of Regent of the University to fill the unexpired term of Whitelaw Reid, deceased, whose term of office would have expired on the 31st day of March, 1913.

Thereupon in open session each member as his name was called by the Clerk rose in his place and by viva voce vote named the following for Regent of the University for a term of twelve years beginning on the first day of April, 1913.

FOR CHARLES B. ALEXANDER.

Bovie	Doty	Grimme	Levy	Schifferdecker
Brewster	Dox	Gurnett	Lewis	Schwarz
Burden	Eisner	Hamilton	Madden	Seely J L
Burr	Emden	Hammer	McCue	Silverstein
Bush	Esquirol	Hearn	McCollum	Small
Butts	Evans	Hover	McDaniels	Smith A E
Carroll	Fallon	Ingram	McElligott	Sutphin
Carver	Finnigan	Jackson	McGrath	Taylor T D
Caughlan	Fitzgerald	Kelly J A	McKee	Telford
Cole	Gallup	Kelly J J	McKeon	Ulrich
Cronin	Garvey	Kelly J D	McMahon	Van Woert
Cuvillier	Gathright	Kelly P J	Monahan	Walker
Daley	Geoghan	Kennedy	O'Connor	Ward
Deits	Geyer	Kerrigan	Oxford	Weil
Dennen	Gibbs	Knott	Patrie	Willard
Denney	Gillen	Kornobis	Robinson	Willmott
Donohue	Goldberg	Larrimer	Rozan	Yard —
Dorst	Greenberg A			87

FOR SETH LOW.

Adler	Fuller	Jones	Schnirel	Sweet
Baumes	Gage	Knight	Seaker	Vert
Baxter	Gillett	Macdonald	Seelye G T	Webb
Bradley	Grace	Magee	Shepardson	Wood
Brereton	Hinman	Norton	Smith J A	Yale
Bryant	Hopkins	Phillips	Sullivan	Yeomans
Edwards	Horton	Richardson		33

FOR HENRY L. STODDARD.

Schaap	Sufrin	2
Whole number of votes.....		122
Charles B. Alexander received.....		87
Seth Low received.....		33
Henry L. Stoddard received.....		2

A quorum of all the members elected to the Assembly having voted and a majority having named Charles B. Alexander as their choice, Mr. Speaker declared that Charles B. Alexander of the city and county of New York had been duly elected a Regent of the University for a term of twelve years beginning on the first day of April, 1913.

The bill (No. 327, Int. No. 323) entitled "An act to provide for the purchase of a portrait of Silas Wright for the Executive chamber, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hearn	Magee	Silverstein
Baumes	Edwards	Heyman	Malone	Small
Baxter	Eisner	Hinman	Maloney	Smith J A
Benninger	Emden	Hopkins	McCue	Squire
Bovie	Esquirol	Horton	McCollum	Sufrin
Bradley	Evans	Hover	McDaniels	Sullivan
Brechet	Fallon	Hughes	McElligott	Sutphin
Brewster	Farrell	Ingram	McGrath	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McKeon	Taylor T D
Burr	Fuller	Jude	McMahon	Telford
Bush	Gage	Kane	Monahan	Tudor
Butts	Gallup	Kelly J A	Norton	Ulrich
Carroll	Garvey	Kelly J D	O'Brien	Van Woert
Carver	Gathright	Kelly P J	O'Connor	Vert
Caughlan	Geoghan	Kenney	Patrie	Volk
Cole	Geyer	Kennedy	Phillips	Walker
Cotillo	Gibbs	Kerrigan	Pullman	Ward
Cronin	Gillett	Kiernan	Richardson	Webb
Cuvillier	Goldberg	Knight	Robinson	Weil
Daley	Grace	Knott	Rozan	Willard
Deitz	Greenberg A	Kornobis	Schaap	Willmott
Dennen	Greenberg M	Lane	Schnirel	Wood
Donney	Grimme	Larrimer	Schwarz	Yale
Donohue	Gurnett	Levy	Seaker	Yard
Dorst	Hamilton	Lewis	Seely J L	Yeomans
Doty	Hammer	Malden	Seelye G T	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 545, Int. No. 531) entitled "An act to amend the County Law, in relation to the duties of county auditors," having been announced for a third reading,

On motion of Mr. J. A. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 96, Int. No. 96) entitled "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hearn	Madden	Silverstein
Baumes	Edwards	Heyman	Magee	Small
Baxter	Eisner	Hinman	Malone	Smith J A
Benninger	Emden	Hopkins	Maloney	Squire
Bovie	Esquirol	Horton	McCue	Sufrin
Bradley	Evans	Hover	McCollum	Sullivan
Brereton	Fallon	Hughes	McDaniels	Sutphin
Brewster	Farrell	Ingram	McElligott	Sweet
Bryant	Finnigan	Jackson	McKee	Taylor F J
Burden	Fitzgerald	Jones	McMahon	Taylor T D
Burr	Fuller	Jude	Monahan	Telford
Bush	Gage	Kane	Norton	Tudor
Butts	Gallup	Kelly J A	O'Brien	Ulrich
Carroll	Garvey	Kelly J D	O'Connor	Van Woert
Carver	Gathright	Kelly P J	Patrie	Vert
Caughlan	Geoghan	Kenney	Phillips	Volk
Cole	Geyer	Kennedy	Pullman	Walker
Cotillo	Gibbs	Kerrigan	Richardson	Ward
Cronin	Gillett	Kiernan	Robinson	Webb
Cuvillier	Goldberg	Knight	Rozan	Weil
Daley	Grace	Knott	Schaap	Willard
Deitz	Greenberg A	Kornobis	Schnirel	Willmott
Dennen	Greenberg M	Lane	Schwarz	Wood
Denney	Grimme	Larrimer	Seaker	Yale
Donohue	Gurnett	Levy	Seely J L	Yard
Dorst	Hamilton	Lewis	Seelye G T	Yeomans
Doty	Hammer			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution in relation to printing additional copies of the report of the Bureau of Labor, with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said resolution to the Senate.

A communication was received from Hon. Daniel Sheehan, mayor of the city of Elmira, returning Assembly bill (No. 145, Int. No. 142) entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' relating to limitation of moneys to be raised for defraying city expenses,"

with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The privileges of the floor were extended to Mr. Wilkie of Erie.

On motion of Mr. Levy, the House adjourned.

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### WEDNESDAY, FEBRUARY 12, 1913.

The House met pursuant to adjournment.

Prayer by Rev. E. J. Kelly, South Bethlehem.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay" (No. 88, Rec. No. 36), which was read the first time and referred to the committee on conservation.

"An act to amend the Greater New York charter, relative to proceedings for street openings" (No. 508, Rec. No. 37), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,' in relation to pensions for certain retired employees of such city" (No. 297, Rec. No. 38), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Banking Law, in relation to the enforcement of certain corporate mortgages" (No. 507, Rec. No. 39), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Corporation Law, in relation to actions



against officers " (No. 347, Rec. No. 40), which was read the first time and referred to the committee on banks.

"An act to amend the Insurance Law, in relation to the by-laws of title, credit guaranty and securities guaranty corporations " (No. 230, Rec. No. 41), which was read the first time and referred to the committee on insurance.

"An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates " (No. 227, Rec. No. 42), which was read the first time and referred to the committee on insurance.

"An act to amend the General Corporation Law, in relation to the extension of corporate existence of insurance and banking corporations " (No. 66, Rec. No. 43), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Stock Corporation Law, in relation to the certificate of increase or reduction of capital stock of a banking or insurance corporation " (No. 53, Rec. No. 44), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations " (No. 512, Rec. No. 45), which was read the first time and referred to the committee on insurance.

"An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act, entitled "An act to incorporate The Greenwood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the designation of those to be interred in alienable lots and the transfer of such lots in certain cases " (No. 481, Rec. No. 46), which was read the first time and referred to the committee on the judiciary.

"An act transferring from the common council of the city of Buffalo to the board of park commissioners of said city jurisdiction and control over Kenilworth avenue in said city, and providing for the improvement of said avenue " (No. 310, Rec. No. 47), which was read the first time and referred to the Committee on affairs of cities.

Mr. Bush introduced a bill entitled "An act to amend chapter five hundred and twenty of the Laws of nineteen hundred and twelve, entitled 'An act to provide for the alteration of the building known as the State House, for the use of the Court of Appeals, making an appropriation therefor, and reappropriating unexpended balances for perfecting plans for such alteration and reconstruction,' in relation to architect's compensation and modification of plans" (Int. No. 982), which was read the first time and referred to the committee on ways and means.

Mr. Butts introduced a bill entitled "An act to amend the Town Law, in relation to certain town expenses and liabilities and providing funds for paying the same" (Int. No. 983), which was read the first time and referred to the committee on affairs of villages.

Mr. Cuvillier introduced a bill entitled "An act providing for the submission to the vote of the people of the question of a convention to revise and amend the Constitution" (Int. No. 984), which was read the first time and referred to the committee on the judiciary.

Mr. Cotillo introduced a bill entitled "An act to amend the Greater New York charter, in relation to the hours of labor of nurses in city hospitals" (Int. No. 985), which was read the first time and referred to the committee on affairs of cities.

Mr. Dox introduced a bill entitled "An act to provide for the erection of a dairy building and equipment, and a barn and equipment for the Schoharie School of Agriculture at Cobleskill" (Int. No. 986), which was read the first time and referred to the committee on ways and means.

Mr. Esquirol introduced a bill entitled "An act providing for the relief of William Shanley" (Int. No. 987), which was read the first time and referred to the committee on affairs of cities.

Mr. Grace introduced a bill entitled "An act to amend the General Business Law, in relation to pressing and marketing hay and straw" (Int. No. 988), which was read the first time and referred to the committee on general laws.

Mr. Goldberg introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to orders of a Public Service Commission" (Int. No. 989), which was read the first time and referred to the committee on the judiciary.

Mr. O'Brien introduced a bill entitled "An act to authorize the macadamizing or paving of streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor, and in connection therewith, in the village of White Plains, New York, Westchester county, and to provide the manner and means of paying therefor" (Int. No. 990), which was read the first time and referred to the committee on affairs of villages.

Mr. M. Greenberg introduced a bill entitled "An act to amend the Greater New York charter by providing for a new department to be known as the department of public morals and transferring thereto certain of the powers and authority now vested in the police department" (Int. No. 991), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to amend the Labor Law, in relation to the physical examination of children employed in factories and cancellation of their employment certificates because of physical unfitness" (Int. No. 992), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the Labor Law, in relation to elevators and hoisting shafts in factory buildings" (Int. No. 993), which was read the first time and referred to the committee on labor and industries.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to surveys under the direction of the bureau of fire prevention" (Int. No. 994), which was read the first time and referred to the committee on affairs of cities.

Mr. Phillips introduced a bill entitled "An act to amend chapter six hundred and five of the Laws of eighteen hundred and seventy-five, entitled 'An act in relation to the county treasurers of the counties of Monroe, Seneca,' in relation to deputy county treasurer in the county of Monroe" (Int. No. 995), which was read the first time and referred to the committee on internal affairs.

Mr. Sweet introduced a bill entitled "An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes

in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego," and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,' and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto" (Int. No. 996), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the salary of the city engineer" (Int. No. 997), which was read the first time and referred to the committee on affairs of cities.

Mr. Seaker introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to an action for divorce" (Int. No. 998), which was read the first time and referred to the committee on codes.

Also, "An act in relation to the erection of a monument to commemorate the services of Brevet-Major-General Newton Martin Curtis, and reappropriating certain money therefor" (Int. No. 999), which was read the first time and referred to the committee on ways and means.

Mr. Lewis introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution, in relation to the disposition and use of isolated parcels of land in the forest preserve" (Int. No. 1000), which was read the first time and referred to the committee on the judiciary.

Mr. Wood introduced a bill entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' in relation to the police department and city officers" (Int. No. 1001), which was read the first time and referred to the committee on affairs of cities.

Mr. O'Brien introduced a bill entitled "An act to prescribe rates to be charged by telephone and telegraph companies for their service throughout the county of Westchester" (Int. No. 1002), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Webb introduced a bill entitled "An act to amend the Agricultural Law, in relation to the giving of bonds by manufacturers and shippers of butter, cheese and milk" (Int. No. 1003), which was read the first time and referred to the committee on agriculture.

Mr. Daley introduced a bill entitled "An act to amend the Tax Law by imposing a tax admission to theatrical and other public amusements and entertainments" (Int. No. 1004), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to the board of building examiners of the city of New York" (Int. No. 1005), which was read the first time and referred to the committee on affairs of cities.

Mr. Wood introduced a bill entitled "An act to amend the Banking Law, in relation to trust companies" (Int. No. 1006), which was read the first time and referred to the committee on banks.

Mr. Hearn introduced a bill entitled "An act to amend the Railroad Law, in relation to coal jimmies and caboose care" (Int. No. 1007), which was read the first time and referred to the committee on railroads.

Mr. Bovie introduced a bill entitled "An act to incorporate the Mount Vernon Masonic Guild" (Int. No. 1008), which was read the first time and referred to the committee on the judiciary.

Mr. Eisner introduced a bill entitled "An act to amend the

General Corporation Law, in relation to providing for the withholding in the certificate of incorporation, of any stock corporation, of the right to vote from a certain class of stockholders, and to provide for the right of cumulative voting to any stockholder entitled to vote at elections of directors" (Int. No. 1009), which was read the first time and referred to the committee on the judiciary.

Mr. McElligott introduced a bill entitled "An act to amend the General Business Law, in relation to certified public accountants" (Int. No. 1010), which was read the first time and referred to the committee on general laws.

Mr. Denny introduced a bill entitled "An act to amend chapter six hundred and seventy-six of the Laws of nineteen hundred and seven, entitled 'An act to authorize the extension of Riverside park, in the city of New York, by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York,' generally" (Int. No. 1011), which was read the first time and referred to the committee on affairs of cities.

Mr. Brewster introduced a bill entitled "An act to amend chapter five hundred and ninety-two of the Laws of nineteen hundred and ten, entitled 'An act in relation to the care and investment of the Adam Haverling school fund belonging to Haverling union free school district number five, town of Bath, Steuben county, and repealing certain acts in relation thereto,' in relation to bond of treasurer of board of education of such free school district" (Int. No. 1012), which was read the first time and referred to the committee on public education.

Mr. Geoghan introduced a bill entitled "An act to amend chapter one hundred and five of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise the charter of the city of Buffalo,' in relation to creating a city planning commission, defining its powers and prescribing its duties" (Int. No. 1013), which was read the first time and referred to the committee on affairs of cities.

Mr. Levy introduced a bill entitled "An act to amend the Penal

Law, in relation to the delivery to customers of memoranda of transactions by brokers" (Int. No. 1014) which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to discriminations by exchanges or the members thereof" (Int. No. 1015), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Banking Law, in relation to the organization and regulation of exchange corporations" (Int. No. 1016), which was read the first time and referred to the committee on codes.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Lewis (No. 882, Int. No. 840), entitled "An act to provide for the excavation and construction of a shaft and the erection, installation and operation of an elevator connecting Fort Washington avenue and a tunnel street from Bennet avenue at One Hundred and Nintieth street to Riverside drive, and for assessing the cost and expense thereof upon the property benefited."

Also, Assembly bill introduced by Mr. Bovie (No. 905, Int. No. 862), entitled "An act to amend chapter seven hundred and ten of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish the office of comptroller of the city of Mount Vernon,' as amended by chapter sixty-nine of the Laws of nineteen hundred and one, as amended by chapter seventy-six of the Laws of nineteen hundred and ten, in relation to his annual report."

Also, Assembly bill introduced by Mr. Bovie (No. 906, Int. No. 863), entitled "An act to amend section one hundred and fifty-eight of chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the annual meeting of the common council."

Also, Assembly bill introduced by Mr. Bovie (No. 907, Int. No. 864), entitled "An act to amend chapter eighty-seven of the Laws of nineteen hundred and five entitled 'An act to authorize the city of Mount Vernon to borrow money by the issue of bonds, for the purpose of purchasing sites and erecting buildings for the use of the fire and police departments, and to provide a sinking fund to



pay principal and interest of said bonds,' in relation to the amount of such bonds."

Also, Assembly bill introduced by Mr. Bovie (No. 908, Int. No. 865), entitled "An act to amend chapter seventy-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize and empower the city of Mount Vernon to acquire land for a site and to improve the same, or a site already possessed, and to erect a municipal building or buildings thereon, and to issue bonds for the purpose of purchasing or otherwise acquiring, improving and erecting the same,' in relation to the amount of such bonds."

Also, Assembly bill introduced by Mr. Ingram (No. 293, Int. No. 289), entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York."

Also, Assembly bill introduced by Mr. Kerrigan (No. 589, Int. No. 575), entitled "An act to amend the Greater New York charter, in relation to the duties and powers of the department of taxes and assessments."

Also, Assembly bill introduced by Mr. Caughlan (No. 613, Int. No. 593), entitled "An act to amend the Greater New York charter, in relation to plans for water fronts."

Also, Assembly bill introduced by Mr. Fitzgerald (No. 785, Int. No. 756), entitled "An act to amend chapter two hundred and thirty-nine of the Laws of eighteen hundred and fifty-nine, entitled 'An act in relation to Grosvenor library of the city of Buffalo,' as amended by chapter one hundred and sixty of the Laws of eighteen hundred and sixty-one, and chapter three hundred and thirty-three of the Laws of nineteen hundred and eight, in relation to the powers of the trustees of said library."

Also, Assembly bill introduced by Mr. Emden (No. 312, Int. No. 308), entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two entitled 'An act to revise the charter of the city of Utica,' relative to local improvements."

Also, Assembly bill introduced by Mr. Sweet (No. 559, Int. No. 545), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of sewers and sewage disposal plants and



other necessary construction incidental thereto, and to the issuance of bonds therefor."

Also, Assembly bill introduced by Mr. Schifferdecker (No. 874, Int. No. 832), entitled "An act to amend the Greater New York charter, in relation to autopsies at the New York city children's hospital and schools at Randall's island."

Also, Assembly bill introduced by Mr. Bush (No. 922, Int. No. 879), entitled "An act authorizing the city of Elmira to issue bonds for paving purposes."

Also, Assembly bill introduced by Mr. Carroll (No. 799, Int. No. 764), entitled "An act to amend the Greater New York charter, in relation to the board of city record," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 398, Int. No. 395) introduced by Mr. Bovie, entitled "An act to establish a pension fund for the paid officers and members of the fire department of the city of New Rochelle," reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, after the word "there" strike out "shall" and insert in italics "may".

Line 2, after the word "Rochelle" insert in italics "and when established there shall be maintained".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 576, Int. No. 562) introduced by Mr. Schwarz, entitled "An act to amend section one hundred and twenty-four of the Second Class Cities Law, relative to contracts for paving," reported in favor of the passage of the same, with the following amendments:

Change title to read "To Amend the Second Class Cities Law, in relation to contracts for paving."

Line 1, after the word "of" strike out the rest of the line.

Strike out all of line 2. Line 3, strike out "hundred and nine" and insert in italics after the word "of" "chapter fifty-five of the Laws of nineteen hundred and nine, entitled 'An act

in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws'".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 575, Int. No. 561) introduced by Mr. Schwarz, entitled "An act to authorize the city of Troy to borrow moneys and to issue bonds therefor, for the water works department of said city, and to provide for the payment of said bonds," reported in favor of the passage of the same, with the following amendment:

Page 2, line 12, after the word "exceeding" strike out five per centum and insert in italics "the legal rate".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. McKee (No. 390, Int. No. 387), entitled "An act to amend the Greater New York charter, in relation to local improvements," reported the same, with the following amendments:

Page 2, line 14, strike out "the Bronx".

Line 15, strike out "Queens or".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was recommitted the Senate bill introduced by Mr. Carswell (No. 207, Assembly Reprint No. 794, Rec. No. 4), entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to exempted parts of the borough of Brooklyn, city of New York," reported in favor of the passage of the same, with the following amendment:

Page 4, line 16, after Waverly avenue insert in italics "Saint James place, Cambridge place,"

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Weil, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Evans (No. 193, Int. No. 190) entitled "An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Willmott, from the committee on charitable and religious societies, to which was referred Assembly bill introduced by Mr. Willmott (No. 306, Int. No. 302), entitled "An act to establish a commission on sites, grounds and buildings."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 674, Int. No. 648), entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by a church or religious body and devoted to social settlement work," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Tallett (No. 561, Int. No. 547), entitled "An act to amend the charter of the city of Oneida, in relation to the payment of claims."

Also, the bill introduced by Mr. A. Greenberg (No. 362, Int. No. 358), entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters."

Also, the bill introduced by Mr. Deitz (No. 704, Int. No. 678), entitled "An act to extend the time for making the final report of the commissioners designated to consolidate, codify and revise the Laws, relating to the estates of deceased persons and the procedure and practice in surrogates' courts."

Also, the bill introduced by Mr. Knight (No. 771, Int. No. 420), entitled "An act to amend the Code of Criminal Procedure, in relation to new trials."

Also, the bill introduced by Mr. Van Woert (No. 655, Int. No. 635), entitled "An act to provide for the construction of a bridge

over the Black river and Moose river at Lyons Falls, in the county of Lewis, and making appropriations and reappropriations therefor."

Also, the bill introduced by Mr. Kennedy (No. 444, Int. No. 439), entitled "An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity, and providing for the improvement thereof."

Also, the bill introduced by Mr. Yard (No. 307, Int. No. 303), entitled "An act to authorize the board of supervisors of the county of Westchester to issue temporary loan bonds for the purpose of raising money to pay certificates of indebtedness of said county, issued pursuant to the provisions of chapter three hundred and forty-two of the Laws of nineteen hundred and two, entitled 'An act to make the office of the supervisor in the county of Westchester a salaried office, and to regulate the sessions of the board of supervisors in said county,' and acts amendatory thereof and supplemental thereto."

Also, the bill introduced by Mr. Hughes (No. 214, Int. No. 211), entitled "An act to provide for the repair of the public dock at Willard, Seneca county, used by the Willard State Hospital, and making an appropriation therefor."

Also, the bill introduced by Mr. Bovie (No. 836, Int. No. 63), entitled "An act authorizing payments to injured or representatives of a deceased volunteer firemen in the county of Westchester."

Also, the bill introduced by Mr. J. D. Kelly (No. 901, Int. No. 214), entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the palisades,' generally."

Also, the bill introduced by Mr. Jackson (No. 789, Int. No. 36), entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and

other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission."

Also, the bill introduced by Mr. Schwarz (No. 839, Int. No. 61), entitled "An act to amend the Code of Civil Procedure, relative to the manner of serving citations on judicial accounting where the number of persons to be served exceeds fifty."

Also, the bill introduced by Mr. Silverstein (No. 835, Int. No. 676), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to fees for service of process."

Also, the bill introduced by Mr. McElligott (No. 838, Int. No. 633), entitled "An act to provide for a permanent fund for the payment of annuities on the retirement of officers of State hospitals for the insane," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Membership Corporations Law, to prohibit the formation of cemetery corporations to operate on the county of Nassau, and to prohibit the acquiring, setting apart or using of land for cemetery purposes in said county except for family cemeteries." (No. 838, Int. No. 114.)

"An act providing for the development and extension of the New York State Veterinary College at Cornell University, and making an appropriation therefor." (No. 939, Int. No. 698.)

"An act to amend the Public Health Law, in relation to the State Institute for the Study of Malignant Disease." (No. 938, Int. No. 170.)

"An act to amend the charter of the city of Oneida, in relation to the payment of claims." (No. 561, Int. No. 547.)

"An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters." (No. 362, Int. No. 358.)

Mr. McElligott offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be discharged from the further consideration of Assembly bill (No. 863, Int.

No. 821), entitled "An act to amend the General Business Law, in relation to interest permitted on advances on collateral security, and repealing section seventy-five of the Banking Law relating thereto,"

and that said bill be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McCue offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on excise be discharged from the further consideration of the bill (No. 621, Int. No. 601), entitled "An act to amend the Liquor Tax Law, in relation to the definition of 'convicted' and 'conviction,' by striking out said definition."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. McCue moved to amend as follows:

On page 2, line 4, after the word "wine" insert a comma.

On page 2, line 18, strike out the final "s" from the word "employees".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr McCue, said bill was ordered reprinted and recommitted to said committee.

Mr. McCue offered, for the consideration of the House a resolution, in the words following:

Resolved, That the committee on excise be discharged from the further consideration of the bill (No. 622, Int. No. 602) entitled "An act to amend the Liquor Tax Law, in relation to the issuance of certificates under the provisions of subdivision two of section eight, limitation to such certificates and transfers thereof under abandonment notices."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. McCue moved to amend as follows:

On page 6, line 15, strike out the word "ten" and insert in place thereof the word "two".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. McCue, said bill was ordered reprinted and recommitted to said committee.

The bill (No. 222, Int. No. 219) entitled "An act to amend the Penal Law, in relation to Sunday baseball," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

At 11:40 o'clock A. M., on motion of Mr. Levy the House took a recess of ten minutes.

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#### ELEVEN O'CLOCK AND FIFTY MINUTES A. M.

The House again convened.

Mr. Levy offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of two be appointed to wait upon the Senate and inform that honorable body that the Assembly will be ready at the time appointed by law and concurrent resolution of Senate and Assembly to meet the Senate in joint assembly for the purpose of comparing journals in relation to the election of Regent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Levy and Hinman.

Senators Murtaugh and Sage, a committee on the part of the Senate, appeared and announced that the Senate would be ready to meet the Assembly in joint assembly at the time prescribed by law and a concurrent resolution of the Senate and Assembly to compare journals of the Senate and Assembly relative to the election of a Regent of the University.

Mr. Levy, from the committee appointed to inform the Senate that the Assembly would be ready to meet that body in joint assembly at the time prescribed by law and the concurrent resolution of Senate and Assembly to compare journals in relation to



the election of a Regent of the University, returned and reported that they had performed that duty.

The hour of twelve o'clock noon having arrived the Senate thereupon appeared in the Assembly chamber, whereupon the President pro tem, of the Senate declared the Senate and Assembly were in joint assembly for the purpose of electing a Regent of the University to fill the unexpired term of Whitelaw Reid, deceased, whose term of office would have expired March 31, 1913, and also a Regent of the University for a term of twelve years beginning on the 1st day of April, 1913.

The Clerk of the Senate then read the journal of the Senate in relation to the election of a Regent of the University. The Clerk of the Assembly then read the journal of the Assembly relating to the election of a Regent of the University.

The journals of the Senate and Assembly being found to agree on the name of Charles B. Alexander, the President pro tem. of the Senate announced and declared Charles B. Alexander of the city and county of New York duly elected a Regent of the University to fill the unexpired term of Whitelaw Reid whose term of office expires March 31, 1913, and also for a term of twelve years beginning on the first day of April, 1913.

The Senate then retired from the Assembly Chamber.

The Speaker announced that the Senate and Assembly having met in joint session for the purpose of comparing journals of the Senate and Assembly relative to the election of a Regent of the University to fill the unexpired term of Whitelaw Reid, deceased, the journals of the two Houses had been found to agree upon the name of Charles B. Alexander, and the President pro tem. of the Senate had announced and declared Charles B. Alexander of the city and county of New York elected a Regent of the University to fill the unexpired term of Whitelaw Reid, deceased, and also for a term of twelve years beginning on the first day of April, 1913.

The bill (No. 833, Int. No. 114) entitled "An act to amend the Membership Corporations Law, to prohibit the formation of cemetery corporations to operate in the county of Nassau, and to prohibit the acquiring, setting apart or using of land for



cemetery purposes in said county except for family cemeteries," having been announced, debate was had thereon.

Mr. Hinman moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 2, line 1, strike out the words "A cemetery corporation".

Page 2, strike out all of lines 2 and 3.

Page 2, insert at beginning of line 4 before word "for" the following: The board of supervisors of the county of Nassau is hereby authorized and empowered to make it unlawful".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Debate was continued.

Mr. Levy moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 84

NOES 20

Those who voted in the affirmative were:

Bovie	Dox	Gurnett	Larrimer	Rozan
Brewster	Edwards	Hamilton	Levy	Schifferdecker
Bryant	Emden	Hammer	Lewis	Schwarz
Burden	Esquirol	Hearn	Madden	Seely J L
Burr	Evans	Hover	Maloney	Silverstein
Bush	Fallon	Ingram	McCollum	Small
Butts	Farrell	Jackson	McDaniels	Smith J A
Campbell	Fitzgerald	Kelly J A	McElligott	Squire
Caughlan	Gallup	Kelly J J	McGrath	Telford
Cole	Gathright	Kelly J D	McKee	Ulrich
Cotillo	Geoghan	Kelly P J	McKeon	Van Woert
Cuvillier	Geyer	Kenney	McMahon	Ward
Daley	Gillen	Kennedy	Monahan	Willard
Deits	Goldberg	Kerrigan	O'Brien	Willmott
Denney	Greenberg A	Kiernan	Patrie	Yale
Dorst	Greenberg M	Knott	Pullman	Yard
Doty	Grimme	Kornobis	Robinson	

Those who voted in the negative were:

Baxter	Gage	Hopkins	Phillips	Sullivan
Carroll	Gillett	Horton	Richardson	Vert
Eisner	Grace	Knight	Seelye G T	Webb
Fuller	Hinman	Magee	Shepardson	Wood

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 362, Int. No. 358) entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 1

Those who voted in the affirmative were:

Baumes	Eisner	Hopkins	McCollum	Shepardson
Baxter	Emden	Horton	McDaniels	Silverstein
Bovie	Esquirol	Hover	McElligott	Small
Bradley	Evans	Ingram	McKee	Smith J A
Brereton	Fallon	Jackson	McKeon	Squire
Brewster	Farrell	Jones	McMahon	Sufrin
Bryant	Finnigan	Kane	Monahan	Sullivan
Burden	Fitzgerald	Kelly J A	Norton	Sutphin
Burr	Fuller	Kelly J D	O'Brien	Sweet
Bush	Gage	Kelly P J	O'Connor	Tallett
Butts	Garvey	Kenney	Oxford	Taylor T D
Carroll	Gathright	Kennedy	Patrie	Telford
Carver	Geoghan	Kerrigan	Pembleton	Tudor
Caughlan	Geyer	Kiernan	Phillips	Ulrich
Cole	Gibbs	Knight	Pullman	Van Woert
Cronin	Gillen	Knott	Richardson	Vert
Cuvillier	Gillett	Kornobis	Robinson	Ward
Daley	Goldberg	Larrimer	Rozan	Webb
Deitz	Grace	Levy	Schaap	Weil
Dennen	Greenberg A	Lewis	Schifferdecker	Willard
Denney	Greenberg M	Macdonald	Schnirel	Willmott
Donohue	Grimme	Madden	Schwarz	Wood
Dorst	Gurnett	Magee	Seaker	Yale
Doty	Hamilton	Malone	Seely J L	Yard
Dox	Hammer	Maloney	Seelye G T	Yeomans
Edwards	Hearn	McCue		

Those who voted in the negative were:

Hinman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 561, Int. No. 547) entitled "An act to amend the charter of the city of Oneida, in relation to the payment of claims," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Baumes	Eisner	Hinman	McCue	Shepardson
Baxter	Emden	Hopkins	McCollum	Silverstein
Bovie	Esquirol	Horton	McDaniels	Small
Bradley	Evans	Hover	McElligott	Smith J A
Brereton	Fallon	Ingram	McKee	Squire
Brewster	Farrell	Jackson	McKeon	Sufrin
Bryant	Finnigan	Jones	McMahon	Sullivan
Burden	Fitzgerald	Kane	Monahan	Sutphin
Burr	Fuller	Kelly J A	Norton	Sweet
Bush	Gage	Kelly J D	O'Connor	Tallett
Butts	Garvey	Kelly P J	Oxford	Taylor T D
Carroll	Gathright	Kenney	Patrie	Telford
Carver	Geyer	Kennedy	Pembleton	Tudor
Caughlan	Geoghan	Kerrigan	Phillips	Ulrich
Cole	Gibbs	Kiernan	Pullman	Van Woert
Cronin	Gillen	Knight	Richardson	Vert
Cuvillier	Gillett	Knott	Robinson	Ward
Daley	Goldberg	Kornobis	Rozan	Webb
Deitz	Grace	Larrimer	Schaap	Weil
Dennen	Greenberg A	Levy	Schifferdecker	Willard
Denney	Greenberg M	Lewis	Schnirel	Willmott
Donohue	Grimme	Macdonald	Schwarz	Wood
Forst	Gurnett	Madden	Seaker	Yale
Dcty	Hamilton	Magee	Seely J L	Yard
Dox	Hammer	Malone	Seelye G T	Yeomans
Edwards	Hearn	Maloney		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. M. Greenberg offered for the consideration of the House a resolution, in the words following:

Whereas, During the recent garment workers' strike in the city of New York it is credibly reported that employers used thugs and desperate characters, employed through private detective agencies to assault and beat up their striking employees, and the police force and magistrates failed and refused to furnish adequate protection to the strikers who were abused and mistreated at the instance of the employers; and,

Whereas, It is likewise credibly reported that it is the practice in the magistrates' courts in said city to accept the word of a policeman against the testimony of credible civilian witnesses and to convict and imprison strikers against the weight of evidence and where the proof would acquit the prisoner if tried by a jury; and,

Whereas, It is likewise credibly reported that the same customs and practice are in vogue on the occasion of any industrial disturbances in said city to the prejudice of the laboring classes whose rights and liberties are infringed under the pretence of enforcing order by the only authorities to whom they can look for protection; and,

Whereas, The grievances complained of are of such a serious character as to warrant investigation to the end that if such a condition of affairs be found to exist, adequate legislative relief may be provided to put a stop to such illegal methods and practices; now, therefore, be it

Resolved, That the Speaker shall within ten days after the adoption of this resolution appoint a committee of five members which is hereby constituted and appointed a legislative committee to investigate and inquire into all of the facts, matters and things complained of, and such committee shall immediately upon its appointment or as soon thereafter as convenient, elect its chairman and vice-chairman and shall have the power to compel the attendance of witnesses including public officers and employees and produce all books, and papers including papers and documents; to administer oaths; take proofs and testimony; employ counsel, expert witnesses, stenographers and other assistants, and shall sit for the purposes of this investigation in the city of New York and shall have all the powers usual and necessary in the cases of legislative committees including adoption of rules for the conduct of its proceedings; to punish as for a contempt in a witness duly subpoenaed failing to respond to said subpoena or default in his attendance under said subpoena and to report their findings with the proofs taken at the next session of the house and the sergeant-at-arms is hereby directed to detail when required by the chairman of the committee to establish an assistant sergeant-at-arms at such direction to attend their session and to serve subpoenas and papers and perform such other prescribed duties as may be authorized by the said committee.

which was referred to the committee on ways and means.

By unanimous consent, Mr. Cotillo offered for the consideration of the House a resolution in the words following:

Whereas, There is now pending before the President of the United States for his signature the Immigration Bill passed by

Congress and, whereas the main objection to the bill becoming a law is to the literacy test provision and,

Whereas, If such bill will be signed by President Taft it will work a great injustice in keeping out honest toilers from entering our country.

Be it Resolved (if the Senate concur), That it is the opinion of the Legislature of the State of New York that such bill should be vetoed by the President and the Senators and Representatives in Congress should reconsider their action and should use all honorable means to accomplish its defeat.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the affirmative.

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Cotillo offered for the consideration of the House a resolution, in the words following:

Whereas, In the tragic death of Captain Robert F. Scott, the commander of the South Pole Expedition, there has been added another name to the list of the world's heroes who have given up their lives for the advancement of science and civilization; be it

Resolved, That the people of the State of New York, through the Assembly, express to the people of the British nation, our admiration for the bravery, resourcefulness and fortitude displayed by this representative of their race, in facing the perils of the frozen Antarctic, and for the strong, quiet courage with which, after struggling to the utmost, he met his final conqueror, and that while trusting that the memory of his heroism may lessen the sorrow of his widow, son and fellow countrymen, we extend to them our sincerest sympathy and condolences; further,

Resolved, That a copy of this resolution be engrossed and sent to the widow and to the Speaker of the House of Parliament.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

AYES 128

NOES 00

Those who voted in the affirmative were:

Baumes	Eisner	Hinman	McCue	Shepardson
Baxter	Emden	Hopkins	McCollum	Silverstein
Bovie	Esquirol	Horton	McDaniels	Small

Bradley	Evans	Hover	McElligott	Smith J A
Brereton	Fallon	Ingram	McKee	Squire
Brewster	Farrell	Jackson	McKeon	Sufrin
Bryant	Finnigan	Jones	McMahon	Sullivan
Burden	Fitzgerald	Kane	Monahan	Sutphin
Burr	Fuller	Kelly J A	Norton	Sweet
Bush	Gage	Kelly J D	O'Connor	Tallett
Butts	Garvey	Kelly P J	Oxford	Taylor T D
Carroll	Gathright	Kenney	Patrie	Telford
Carver	Geoghan	Kennedy	Pembleton	Tudor
Caughlan	Geyer	Kerrigan	Phillips	Ulrich
Cole	Gibbs	Kiernan	Pullman	Van Woert
Cronin	Gillen	Knight	Richardson	Vert
Cuvillier	Gillett	Knott	Robinson	Ward
Daley	Goldberg	Kornobis	Rozan	Webb
Deitz	Grace	Larrimer	Schaap	Weil
Dennen	Greenberg A	Levy	Schifferdecker	Willard
Denney	Greenberg M	Lewis	Schnirel	Willmott
Donohue	Grimme	Macdonald	Schwarz	Wood
Dorst	Gurnett	Madden	Seaker	Yale
Doty	Hamilton	Magee	Seely J L	Yard
Dox	Hammer	Malone	Seelye G T	Yeomans
Edwards	Hearn	Maloney		

The Senate returned the bill (No. 508, Int. No. 205) entitled "An act to amend the Village Law, in relation to powers of village trustees to provide for band concerts."

Also, the bill (No. 285, Int. No. 281) entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose."

Also, the bill (No. 111, Int. No. 111) entitled "An act to amend the Town Law, in relation to the compensation of town auditors."

Also, the bill (No. 109, Int. No. 109) entitled "An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 387, Int. No. 384) entitled "An act to amend the Greater New York charter, in relation to the power of the city superintendent of schools to enforce the compulsory education law," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 240, Int. No. 237) entitled "An act to amend

section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as the charter of the city of Oneida,' and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling,' with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Oneida.

Also, the bill (No. 149, Int. No. 146) entitled "An act to amend chapter two hundred and eighty-one of the Laws of nineteen hundred and twelve, entitled 'An act to authorize the city of Buffalo to issue sinking fund water bonds for the purpose of raising money to pay and retire water bonds for which no sinking fund is provided,' authorizing the payment and retirement also of outstanding refunding bonds issued heretofore to pay and retire such water bonds, and relating to the rate of interest and place of payment of such sinking fund water bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, Abraham Lincoln was one of the greatest statesmen of his age, the emancipator of millions of slaves, who did not believe in the barter and sale of human beings, and whose life was sacrificed in the cause of liberty and freedom; be it

Resolved, That when this House adjourns it adjourns in honor of the memory of Abraham Lincoln.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker declared the House adjourned.

## THURSDAY, FEBRUARY 13, 1912.

The House met pursuant to adjournment.

Prayer by Rev. Bruce Ballard, Feura Bush.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Comptroller on Expenditures of Canals, which was laid upon the table and ordered printed.

(See Assembly Document No. 28.)

Also, the proceedings of the United Spanish War Veterans Department of New York, which was laid upon the table and ordered printed.

(See Assembly Document No. 31.)

The Senate sent for concurrence the following entitled bills:

“An act to amend the Greater New York charter, in relation to the suspension of officers and employees upon charges” (No. 443, Rec. No. 48), which was read the first time and referred to the committee on affairs of cities.

“An act to ratify, confirm and legalize the proceedings had and taken by the village of Ilion, in the matter of the issuance of bonds of said village for the paving of the streets therein and to provide for the payment of such bonds” (No. 604, Rec. No. 49), which was read the first time and referred to the committee on affairs of villages.

Mr. Burden introduced a bill entitled “An act to amend the Greater New York charter, in relation to establishing a division of the department of public charities and the tenement house department in the borough of Queens” (Int. No. 1017), which was read the first time and referred to the committee on affairs of cities.

Mr. Carver introduced a bill entitled “An act to amend the Highway Law, in relation to motor vehicles” (Int. No. 1018), which was read the first time and referred to the committee on internal affairs.

Mr. Farrell introduced a bill entitled “An act to amend the



Code of Civil Procedure, in relation to proceedings taken after the death or disability of an attorney " (Int. No. 1019), which was read the first time and referred to the committee on codes.

Mr. Farrell introduced a bill entitled "An act to provide for free hospital boats or barges for the city of New York " (Int. No. 1020), which was read the first time and referred to the committee on affairs of cities.

Mr. Hearn introduced a bill entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the Fourth International Congress on School Hygiene to be held in said city, and for the benefit of the public health " (Int. No. 1021), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to amend section two hundred and seventy-three of chapter eighty-eight of the Laws of nineteen hundred and nine, entitled 'An act providing for the punishment of crime,' constituting chapter forty of the consolidated laws " (Int. No. 1022), which was read the first time and referred to the committee on codes.

Mr. A. Greenberg introduced a bill entitled "An act to amend the Domestic Relations Law, in relation to necessary consent for adoption of minors " (Int. No. 1023), which was read the first time and referred to the committee on the judiciary.

Mr. Kiernan introduced a bill entitled "An act to amend the Greater New York charter in relation to leaves of absence, without pay, of employees chosen to fill an elective office " (Int. No. 1024), which was read the first time and referred to the committee on affairs of cities.

Mr. Levy introduced a bill entitled "An act to establish a home for the aged of both sexes for residents of New York, Kings, Queens, Suffolk, Richmond, Westchester, and Rockland counties, and making an appropriation therefor " (Int. No. 1025), which was read the first time and referred to the committee on ways and means.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Greater New York charter, in relation to the hours of duty of the uniformed force of the department of correction of the city of

New York" (Int. No. 1026), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the uniformed force of the department of correction" (Int. No. 1027), which was read the first time and referred to the committee on affairs of cities.

Mr. P. J. Kelly introduced a bill entitled "An act to amend the Village Law, in relation to eligibility to office of police justice" (Int. No. 1028), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend the Village Law, in relation to jurisdiction of police justices" (Int. No. 1029), which was read the first time and referred to the committee on affairs of villages.

Mr. McGrath introduced a bill entitled "An act to amend the Public Health Law, in relation to filing a certificate for the practice of veterinary medicine and surgery" (Int. No. 1030), which was read the first time and referred to the committee on public health.

Mr. McMahon introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the establishment of a court of arbitration" (Int. No. 1031), which was read the first time and referred to the committee on codes.

Mr. McElligott introduced a bill entitled "An act to amend the Greater New York charter, in relation to the designation of newspapers in which corporate notices may be published" (Int. No. 1032), which was read the first time and referred to the committee on affairs of cities.

Mr. Monahan introduced a bill entitled "An act to amend the Highway Law, in relation to the operation of motor vehicles in certain cities of the first class" (Int. No. 1033), which was read the first time and referred to the committee on internal affairs.

Mr. Rozan introduced a bill entitled "An act to amend the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties" (Int. No. 1034), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the County Law, in relation to special deputy clerks in certain counties" (Int. No. 1035), which was read the first time and referred to the committee on internal affairs.

Mr. Walker, by request, introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to illegal sales and selling, and to provide for traffic in liquor during certain hours on Sunday but not in the barroom" (Int. No. 1036), which was read the first time and referred to the committee on excise.

Mr. Ward introduced a bill entitled "An act to amend the Labor Law, in relation to employer's liability" (Int. No. 1037), which was read the first time and referred to the committee on labor and industries.

Mr. Yard introduced a bill entitled "An act to authorize the village of Peekskill to construct a building to be used as a jail, police court and police headquarters, and to acquire necessary lands therefor, and to issue bonds for such purpose, and repealing chapter seven hundred and thirty-five of the Laws of nineteen hundred and eleven, and ratifying and confirming the bonds issued thereunder; and directing the use of the proceeds of such bonds" (Int. No. 1038), which was read the first time and referred to the committee on affairs of villages.

Mr. McKeon introduced a bill entitled "An act to amend the General Business Law, in relation to the liability for messengers" (Int. No. 1039), which was read the first time and referred to the committee on the judiciary.

Mr. Hover introduced a bill entitled "An act to amend chapter seven hundred fifty-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise and consolidate the several acts in relation to the city of Hudson, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' in relation to the terms of and the time and manner of the election of the elective officers in said city" (Int. No. 1040), which was read the first time and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill entitled "An act making an additional appropriation for the construction of a bridge over the Black River canal at Main street, in the village of Boonville" (Int. No. 1041), which was read the first time and referred to the committee on ways and means.

Mr. McGee introduced a bill entitled "An act to amend the County Law, in relation to the registration of dogs" (Int. No.

1042), which was read the first time and referred to the committee on internal affairs.

Mr. Cuvillier introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to article three of the Constitution, in relation to discrimination between the sexes" (Int. No. 1043), which was read the first time and referred to the committee on the judiciary.

Mr. Hammer introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to limitation of actions against directors or stockholders of a moneyed corporation or banking association" (Int. No. 1044), which was read the first time and referred to the committee on codes.

Mr. G. T. Seelye introduced a bill entitled "An act to provide for the construction of a bridge over the Mohawk river, between the counties of Albany and Saratoga, at Dunsbach Ferry, and making an appropriation therefor" (Int. No. 1045), which was read the first time and referred to the committee on ways and means.

Mr. Sweet introduced a bill entitled "An act to provide for the construction of a bridge by the State over a portion of the Oswego river and the Barge canal at Mineoot, in the county of Oswego, to connect with a bridge to be built by local authorities over a portion of such river, and making an appropriation therefor" (Int. No. 1046), which was read the first time and referred to the committee on ways and means.

Mr. Weil introduced a bill entitled "An act to amend the Real Property Law, in relation to long forms of covenants and recording of deeds" (Int. No. 1047), which was read the first time and referred to the committee on the judiciary.

Mr. Bush, from the committee on ways and means, to which was referred the resolution relative to the appointment of a committee to investigate Garment Workers' strike in the city of New York," reported in favor of the adoption of the following resolution:

Whereas, During the recent Garment Worker's strike, in the city of New York, it is credibly reported that employers, used thugs and desperate characters, employed through private detective agencies to assault and beat up their striking employees, and the police force and magistrates failed and refused to furnish

adequate protection to the strikers who were abused and mistreated at the instance of the employers, and

Whereas, It is likewise credibly reported that it is the practice in the magistrates' courts in said city to accept the word of a policeman against the testimony of credible civilian witnesses and to convict and imprison strikers against the weight of evidence and where the proof would acquit the prisoner if tried by a jury, and

Whereas, It is likewise credibly reported that the same customs and practice are in vogue on the occasion of any industrial disturbances in said city to the prejudice of the laboring classes whose rights and liberties are infringed under the pretence of enforcing order by the only authorities to whom they can look for protection, and

Whereas, The grievances complained of are of such a serious character as to warrant investigation to the end that if such a condition of affairs be found to exist, adequate legislative relief may be provided to put a stop to such illegal methods and practices, now therefore be it

Resolved, That the Speaker shall within ten days after the adoption of this resolution appoint a committee of five members which is hereby constituted and appointed a legislative committee to investigate and enquire into all of the facts, matters and things complained of, and such committee shall immediately upon its appointment or as soon thereafter as is convenient, elect its chairman and vice-chairman and shall have the power to compel the attendance of witnesses including public officers and employees and produce all books, and papers including papers and documents; to administer oaths, take proofs and testimony, assign counsel, stenographers and other assistants, who shall act without pay from the state, and shall sit for the purposes of this investigation in the city of New York, and shall have all the powers usual and necessary in the cases of legislative committees including adoption of rules for the conduct of its proceedings; to punish as for a contempt in a witness duly subpoenaed failing to respond to said subpoena or default in his attendance under said subpoena and to report their findings with the proofs taken as soon as practicable, and the sergeant-at-arms is hereby directed to detail when required by the chairman of the committee to establish an assistant sergeant-at-arms at such direction to attend their session, and to serve subpoenas and papers and perform such other prescribed duties as may be authorized by the said committee, and be it further

Resolved, That this inquiry shall in no wise create any obligation by the state, and shall be conducted without any cost whatever to the state.

Which report was agreed to.

Mr. Speaker stated the question to be upon the adoption of said resolution.

Debate was had thereon.

Mr. Phillips moved to amend as follows:

Add at end of resolution "and no person or organization shall contribute to the expenses of such committee and it shall be unlawful for any member or employee of such committee to receive payment of any expenses from any person or organization."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Phillips, and it was determined in the negative.

AYES 19

NOES 60

Those who voted in the affirmative were:

Adler	Fuller	Magee	Phillips	Sutphin
Baxter	Gage	Malone	Richardson	Webb
Bryant	Hinman	Norton	Seelye G T	Wood
Edwards	Knight	Pembleton	Smith J A	

Those who voted in the negative were:

Burr	Emden	Kane	McCue	Seely J L
Bush	Fitzgerald	Kelly J J	McCollum	Silverstein
Butts	Finnigan	Kelly J D	McDaniels	Squire
Campbell	Gallup	Kenney	McKeon	Taylor F J
Carroll	Geoghan	Kennedy	Monahan	Taylor T D
Cole	Geyer	Kerrigan	O'Brien	Van Woert
Cuvillier	Grimme	Kiernan	Patrie	Walker
Denney	Hamilton	Larrimer	Pullman	Ward
Donohue	Hammer	Levy	Robinson	Weil
Dorst	Hover	Lewis	Rozan	Willmott
Doty	Ingram	Madden	Schifferdecker	Ulrich
Dox	Jackson	Maloney	Schwarz	Yard

On motion of Mr. Levy, and by unanimous consent, consideration of said resolution was postponed until Monday next.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. McCollum (No. 448, Int. No. 443), entitled "An act making an appropriation additional to that made by chapter three hundred and ninety-seven of the Laws of nineteen hundred and twelve, for the construction of a drain from the culvert under the Erie canal, at Chapel street, in the city of Lockport."

Also, Assembly bill introduced by Mr. Jackson (No. 46, Int. No. 46), entitled "An act making an appropriation for completing the construction of new buildings for the Buffalo State Nor-

mal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten."

Also, Assembly bill introduced by Mr. Cole (No. 19, Int. No. 19), entitled "An act making an appropriation for the organization and support of county farm bureaus in the various counties of the State."

Also, Assembly bill introduced by Mr. Bush (No. 666, Int. No. 640), entitled "An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a life saving station," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 204, Int. No. 201) introduced by Mr. Bush, entitled "An act making appropriations, supplementary appropriations and reappropriations for improvements at the State hospitals for the insane," reported in favor of the passage of the same, with the following amendments:

Page 3, strike out lines 18, 19, 20, 21, 22, 23, 24 and 25.

Page 4, strike out lines 1, 2, 3 and 4.

Page 3, line 11, strike out the word "four" and insert in place thereof the word "two".

Page 3, line 12, strike out ("re. \$4000.") and insert in place thereof ("re \$2000.").

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 110, Int. No. 110) introduced by Mr. Grimme, entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an inter-state park, and thereby to preserve the scenery of the Palisades,' generally," reported in favor of the passage of the same with the following amendments:

Page 2, line 23, strike out the word "after" and insert in place thereof the words "within ten days after".

Page 3, line 1, strike out the words "in ten successive numbers of" and insert in place thereof the words "once a week for ten successive weeks in",



Page 3, line 14, before the word "and" insert the words "the owners of the property sought to be taken".

Page 3, line 17, strike out the word "renumbered" and insert in place thereof the words "repealed".

Page 3, line 18, strike out the words "section nineteen".

Page 3, line 18, after the word "insert" insert the words "in place thereof."

Page 4, line 4, after the word "payment" insert the words "out of the moneys in the hands of the commissioners."

Page 4, line 5, after the word "commissioners" insert the words "the necessary and reasonable disbursements of the owners of the property sought to be taken."

Page 5, strike out line 6.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 253, Int. No. 249) introduced by Mr. Bush, entitled "An act making an appropriation for surveys, field notes and manuscript maps affecting various canals and canal lands," reported in favor of the passage of the same, with the following amendment:

Page 2, line 3, after the word "of" strike out "thirty-five thousand dollars (\$35,-" and insert in place thereof "twenty-five thousand dollars (\$25,-"

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Hammer (No. 769, Int. No. 742), entitled "An act to amend chapter one hundred and forty-seven of the Laws of eighteen hundred and seventy-six, entitled 'An act granting to the United States the right to acquire the right of way necessary for the improvement of the Harlem river and Spuyten Duyvil creek from the North river to the East river through the Harlem kills, and ceding jurisdiction over the same,' in relation to enabling the State to furnish the United States the right of way necessary for rectification of the bend in the Harlem River Ship canal, and making an appropriation therefor," reported the same with the following amendments:

Page 3, line 11, strike out "hereof".

Page 4, line 8, strike out "the United States."



Page 4, line 10, insert after the word "thereof" the following words "the United States".

Page 4, line 12, after the word "lands" insert "heretofore acquired by the United States, up to the Bulkhead line to be established by the Secretary of War, along the southerly boundary of the new channel, and".

Page 4, line 15, after the word "canal", strike out the remainder of line fifteen.

Page 4, strike out lines 16, 17, 18 and 19.

Page 5, line 17, strike out the word "will" and insert in place thereof the word "shall".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. Levy (No. 711, Int. No. 685), entitled "An act to amend the Code of Civil Procedure, relating to when a foreign corporation may be sued."

Also, Assembly bill introduced by Mr. Levy (No. 712, Int. No. 686), entitled "An act to amend the Code of Civil Procedure, relating to the place of trial of actions to recover damages for injuries to real estate situated without the State."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 895, Int. No. 853), entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty."

Also, Assembly bill introduced by Mr. Pembleton (No. 681, Int. No. 655), entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences."

Also, Assembly bill introduced by Mr. Knight (No. 927, Int. No. 884), entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same."

Also, Assembly bill introduced by Mr. Levy (No. 512, Int. No. 501), entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons."

Also, Assembly bill introduced by Mr. Hammer (No. 172, Int. No. 173), entitled "An act to amend the Code of Civil Procedure, in relation to notices of pendency of action."

Also, Assembly bill introduced by Mr. Horton (No. 267, Int. No. 263), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo."

Also, Assembly bill introduced by Mr. Eisner (No. 474, Int. No. 469), entitled "An act to amend the Code of Criminal Procedure, in relation to docketing and enforcement of a judgment of conviction which imposes a fine," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 514, Int. No. 503) introduced by Mr. Levy, entitled "An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights,' constituting chapter six of the Consolidated Laws," reported in favor of the passage of the same, with the following amendments:

On page 2, lines 9 and 10, strike out "or make any oral announcement, communication or declaration".

On page 2, lines 19, 20 and 21, strike out "or proof of any such oral announcement, communication or declaration made by an agent or employer of any such person".

On page 3, line 18, after the word "of" strike out "five" and insert "not less than one". After the word "dollars" insert "nor more than five hundred dollars".

On page 3, line 23, strike out "[ " bracket.

On page 4, line 1, strike out "[ " bracket.

On page 4, lines 1, 2, 3, 4 and 5 strike out all italicized matter.

On page 4, line 6, strike out "immediately" and insert "September first, nineteen hundred and thirteen."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 460, Int. No. 455) introduced by Mr. Ward, entitled "An act to amend the Code of Criminal Procedure, in relation to compensation of attorneys in cities of the first class," reported in favor of the passage of the same, with the following amendments:

On page 1, title, strike out "in cities of the first class". After "attorneys" insert the words "in certain cases."

On page 1, line 4,, after the word "attorneys" insert a period. Strike out "in cities of the first class."

On page 1, line 5, strike out "In cities of the first class,". Begin word "where" with a capital.

On page 2, line 3, after the word "may" insert "in his discretion".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 268, Int. No. 264) introduced by Mr. Horton, entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals," reported in favor of the passage of the same, with the following amendment:

On page 2, line 2, after word "marshal" strike out "or the person deputed".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 66, Int. No. 66) introduced by Mr. Eisner, entitled "An act to amend the Code of Criminal Procedure, in relation to remissions of fine," reported in favor of the passage of the same, with the following amendment:

On page 2, after line 27, insert "§ 2. This act shall take effect September first, nineteen hundred and thirteen."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. Walker (No. 692, Int. No. 6666), entitled "An act to amend the Penal Law, in relation to the sale or possession of cocaine or eucaine," reported the same with the following amendments:

On page 2, line 19, strike out the word "vital" and substitute the word "total".

On page 3, line 20, strike out the words "such substance" and insert "said substances".

Page 4, line 15, strike out the word "displayed" and insert the word "displaying".

Page 9, line 6, strike out the words "it shall be the duty of" and insert the capital "E" in the word "every".

Page 9, line 9, strike out the word "to" and insert the word "shall".

Page 9, line 17, place a comma after the word "for".

Page 10, line 2, insert a period after the word "recorded" and capitalize the first letter of the word "such".

Page 10, line 4, strike out the word "therein" and insert the words "in such book".

Page 10, line 25, strike out the word "afer" and insert the word "after".

Page 10, line 26, insert the word "of" after the word "each".

Page 11, line 1, insert the letter "s" in the word "report" making it plural.

Page 12, line 1, strike out the words "regular employee" and insert the words "persons in the regular employ".

Page 12, line 12, insert after the word "cocaine" the words "or eucaine or their salts".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on codes, to which was referred Senate bill introduced by Mr. Blauvelt (No. 30, Rec. No. 16), entitled "An act to amend the Code of Civil Procedure, in relation to docket of judgment," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. J. D. Kelly (No. 858, Int. No. 816), entitled "An act to amend the Lien Law, in relation to service of copy of notice."

Also, Assembly bill introduced by Mr. Donohue (No. 435, Int. No. 430), entitled "An act to amend the State Charities Law, in relation to quarterly estimates of expenses; contingent fund."

Also, Assembly bill introduced by Mr. Donohue (No. 434, Int. No. 429), entitled "An act to amend the State Charities Law, in relation to purchases."

Also, Assembly bill introduced by Mr. McElligott (No. 766, Int. No. 739), entitled "An act to amend the Poor Law, in relation to almshouse construction and administration."

Also, Assembly bill introduced by Mr. Knight (No. 571, Int. No. 557), entitled "An act to amend the Town Law, in relation to biennial town meetings and the election and terms of office of town officers."

Also, Assembly bill introduced by Mr. Macdonald (No. 536, Int. No. 522), entitled "An act to amend the Town Law, in relation to the limitation of indebtedness of certain towns," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Senate bill introduced by Mr. Foley (No. 401, Rec. No. 9), entitled "An act to amend the Domestic Relations Law, in relation to the adoption of a child directly from foster parents by either of such foster parents," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Senate bill introduced by Mr. Ramsperger (No. 539, Rec. No. 35), entitled "An act to amend the Insurance Law, in relation to rate-making associations."

Also, Senate bill introduced by Mr. Ramsperger (No. 538, Rec. No. 34), entitled "An act to amend the Insurance Law, in relation to organizations in assisting in establishing insurance rates."

Also, Senate bill introduced by Mr. Ramsperger (No. 234, Rec. No. 27), entitled "An act to amend the Insurance Law, in relation to proceedings against and the liquidation of delinquent insurance corporations."

Also, Senate bill introduced by Mr. Ramsperger (No. 55, Rec. No. 30), entitled "An act to amend the Insurance Law, in relation to life or casualty insurance corporations upon the co-operative or assessment plan."

Also, Senate bill introduced by Mr. Ramsperger (No. 65, Rec. No. 28), entitled "An act to amend the General Corporation Law, in relation to corporate names."

Also, Senate bill introduced by Mr. Ramsperger (No. 541, Rec. No. 33), entitled "An act to amend the Insurance Law, in relation to organizations for assisting underwriters in insurance business generally."

Also, Senate bill introduced by Mr. Ramsperger (No. 52, Rec. No. 32), entitled "An act to amend the Insurance Law, in rela-

tion to the policy or certificate of a life or casualty insurance corporation upon the co-operative or assessment plan."

Also, Senate bill introduced by Mr. Ramsperger (No. 58, Rec. No. 31), entitled "An act to repeal chapter eighty-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to provide the minimum capital stock required for the organization of fire or marine insurance corporations,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Macdonald (No. 535, Int. No. 521), entitled "An act to amend chapter one hundred and thirty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to authorize the county of Franklin to construct and maintain a county road system in said county, and to authorize the board of supervisors thereof to issue the bonds of said county in the aggregate amount of five hundred thousand dollars for such county road system,' in relation to funds applicable to the purpose of said act."

Also, Assembly bill introduced by Mr. O'Brien (No. 892, Int. No. 850), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages."

Also, Assembly bill introduced by Mr. J. A. Smith (No. 543, Int. No. 529), entitled "An act to amend chapter three hundred and twenty-four of the Laws of nineteen hundred, entitled 'An act to make the office of sheriff of Saint Lawrence county a salaried office, in part, and to regulate the management thereof,' generally," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 330, Int. No. 326) introduced by Mr. Evans, entitled "An act to amend the Highway Law, generally," reported in favor of the passage of the same with the following amendments:

Page 2, line 26, bracket out the words "the Governor, by and with the advice and consent of the Senate, shall appoint [a State Superintendent] such Commissioner of Highways who shall devote all of his time to the duties of his office. He shall hold

office during the pleasure of the Governor", and insert in italics in place thereof the following: "Such Commissioner shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of five years. He shall devote all of his time to the duties of his office. The Governor may remove such Commissioner for inefficiency, neglect of duty or misconduct in office. A copy of the charges against him shall be served upon such superintendent and he shall have an opportunity of being publicly heard in person or by counsel in his own defense upon not less than a ten days' notice. If such Commissioner shall be removed, the Governor shall file in the office of the Secretary of State a complete statement of all charges made against such Commissioner and his findings thereon, together with a complete record of the proceedings."

Page 6, line 18, after the word "and", second occurring in said line, insert ", roads and".

Page 6, line 18, strike out the word "in" and insert in place thereof the word "on".

Page 6, line 18, strike out the word "reservation" and insert in place thereof the word "reservations."

which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to provide for the repair of the public dock at Willard, Seneca county, used by the Willard State Hospital, and making an appropriation therefor." (No. 214, Int. No. 211.)

"An act to amend the Code of Criminal Procedure, in relation to new trials." (No. 771, Int. No. 420.)

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to fees for service of process." (No. 835, Int. No. 676.)

"An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester." (No. 836, Int. No. 63.)

"An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an Interstate park, and



thereby to preserve the scenery of the Palisades,' generally." (No. 901, Int. No. 214.)

"An act to provide for the construction of a bridge over the Black river and Moose river at Lyons Falls, in the county of Lewis, and making appropriations and reappropriations therefor." (No. 655, Int. No. 635.)

"An act to provide for a permanent fund for the payment of annuities on the retirement of officers of State hospitals for the insane." (No. 838, Int. No. 633.)

"An act to amend the Code of Civil Procedure, relative to the manner of serving citations on judicial accounting where the number of persons to be served exceeds fifty." (No. 839, Int. No. 61.)

"An act to authorize the board of supervisors of the county of Westchester to issue temporary loan bonds for the purpose of raising money to pay certificates of indebtedness of said county, issued pursuant to the provisions of chapter three hundred and forty-two of the Laws of nineteen hundred and two, entitled 'An act to make the office of the supervisor in the county of Westchester a salaried office, and to regulate the sessions of the board of supervisors in said county,' and acts amendatory thereof and supplemental thereto." (No. 307, Int. No. 303.)

"An act to extend the time for making the final report of the commissioners designated to consolidate, codify and revise the laws, relating to the estates of deceased persons and the procedure and practice in surrogates' courts." (No. 704, Int. No. 678.)

"An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission." (No. 789, Int. No. 36.)

"An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity, and providing for the improvement thereof." (No. 444, Int. No. 439.)

Mr. Patrie offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on railroads be discharged from the further consideration of the bill (No. 459, Int. No.



454) entitled "An act to amend the Railroad Law," in relation to preventing the construction of elevated railroads on certain streets in the borough of Brooklyn."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Petrie moved to amend as follows:

On page 2, line 11, after the word "south" strike out "." and insert "," and add the following: "and Wyckoff avenue from Flushing avenue to Cooper street, and Eckford street from Driggs avenue to Green Point Avenue" in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Patrie said bill was ordered reprinted and recommitted to said committee.

Mr. Patrie offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of the bill (No. 934, Int. No. 891) entitled "An act to amend the Conservation Law, in relation to hydro-electric plants and districts, and making an appropriation for the capital district plant."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Patrie moved to amend as follows:

Page 16, line 21, after the period insert "The commission is hereby authorized to extend its operations outside of said capitol district and to such municipalities as may be selected by said commission for economic operation, provided there shall remain surplus hydro-electric power after the demands of the municipalities within said capitol district are reasonably met."

Page 17, line 3, strike out "two hundred and eighty-two thousand" and insert in place thereof "six hundred and twenty-five thousand". Strike out "(\$282,000)" line 4 and insert "(\$625,000)".

Line 9, strike out "one hundred and twenty-five" and insert in place thereof "two hundred and eighty-five".

Line 10, strike out "(\$125,000)" and insert in place thereof "(\$282,000)".

Line 11, strike out "one hundred", insert in place thereof

“three hundred and”. Line 12, strike out “and fifty-seven” and insert in place thereof “forty-three”. Strike out “(\$157,000)” and insert “(\$343,000)”.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Patrie, said bill was ordered reprinted and recommitted to said committee.

The bill (No. 905, Int. No. 862) entitled “An act to amend chapter seven hundred and ten of the Laws of eighteen hundred and ninety-five, entitled ‘An act to establish the office of comptroller of the city of Mount Vernon,’ as amended by chapter sixty-nine of the Laws of nineteen hundred and one, as amended by chapter seventy-six of the Laws of nineteen hundred and ten, in relation to his annual report,” was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 906, Int. No. 863) entitled “An act to amend section one hundred and fifty-eight of chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled ‘An act to incorporate the city of Mount Vernon,’ in relation to the annual meeting of the common council,” was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 907, Int. No. 864) entitled “An act to amend chapter eighty-seven of the Laws of nineteen hundred and five, entitled ‘An act to authorize the city of Mount Vernon to borrow money by the issue of bonds, for the purpose of purchasing sites and erecting buildings for the use of the fire and police departments, and to provide a sinking fund to pay principal and interest of said bonds,’ in relation to the amount of such bonds,” was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 908, Int. No. 865) entitled “An act to amend chapter seventy-five of the Laws of nineteen hundred and ten, entitled ‘An act to authorize and empower the city of Mount Vernon to acquire land for a site and to improve the same, or a site already possessed, and to erect a municipal building or build-

ings thereon, and to issue bonds for the purpose of purchasing or otherwise acquiring, improving and erecting the same,' in relation to the amount of such bonds," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 922, Int. No. 879) entitled "An act authorizing the city of Elmira to issue bonds for paving purposes," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 799, Int. No. 764) entitled "An act to amend the Greater New York charter, in relation to the board of city record," was read the second time.

On motion of Mr. Carroll, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 613, Int. No. 593) entitled "An act to amend the Greater New York charter, in relation to plans for water fronts," was read the second time.

On motion of Mr. Caughlan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 312, Int. No. 308) entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' relative to local improvements," was read the second time.

On motion of Mr. Emden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 193, Int. No. 190) entitled "An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 785, Int. No. 756) entitled "An act to amend chapter two hundred and thirty-nine of the Laws of eighteen hundred and fifty-nine, entitled 'An act in relation to Grosvenor library of the city of Buffalo,' as amended by chapter one hundred and sixty of the Laws of eighteen hundred and sixty-one, and chapter three hundred and thirty-three of the Laws of nineteen hundred and eight, in relation to the powers of the trustees of said library," was read the second time.

On motion of Mr. Fitzgerald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 293, Int. No. 289) entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York," was read the second time.

On motion of Mr. Ingram, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 589, Int. No. 575) entitled "An act to amend the Greater New York charter, in relation to the duties and powers of the department of taxes and assessments," having been announced,

Mr. Kerrigan moved to amend as follows:

Page 3, line 1, after "easement" insert in italics "except party walls and beam rights".

Line 3, after the word "easement" insert in italics "except party walls and beam rights".

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 882, Int. No. 840) entitled "An act to provide for the excavation and construction of a shaft and the erection, installation and operation of an elevator connecting Fort Washington avenue and a tunnel street from Bennet avenue at One Hundred and Ninetieth street to Riverside drive, and for assessing the cost and expense thereof upon the property benefited," was read the second time.

On motion of Mr. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 874, Int. No. 832) entitled "An act to amend the Greater New York charter, in relation to autopsies at the New York city children's hospital and school at Randall's island," having been announced for a second reading,

On motion of Mr. Schifferdecker, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 559, Int. No. 545) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of sewers and

sewage disposal plants and other necessary construction incidental thereto and to the issuance of bonds therefor," was read the second time.

On motion of Mr. Sweet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 674, Int. No. 648) entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by a church or religious body devoted to social settlement work," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 306, Int. No. 302) entitled "An act to establish a commission on sites, grounds and buildings," was read the second time.

On motion of Mr. Willmott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 655, Int. No. 635) entitled "An act to provide for the construction of a bridge over the Black river and Moose river at Lyon Falls, in the county of Lewis, and making appropriations and reappropriations therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 99

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Maloney	Seely J L
Baxter	Dox	Hover	McCue	Seelye G T
Bradley	Edwards	Hughes	McCollum	Silverstein
Brereton	Emden	Ingram	McDaniels	Smith J A
Brewster	Esquirol	Jackson	McElligott	Squire
Bryant	Evans	Kane	McGrath	Sutphin
Burden	Fitzgerald	Kelly J A	McKee	Taylor F J
Burr	Finnigan	Kelly J J	McKeon	Taylor T D
Bush	Fuller	Kelly J D	McMahon	Tudor

On motion of Mr. Fitzgerald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 293, Int. No. 289) entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York," was read the second time.

On motion of Mr. Ingram, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 589, Int. No. 575) entitled "An act to amend the Greater New York charter, in relation to the duties and powers of the department of taxes and assessments," having been announced,

Mr. Kerrigan moved to amend as follows:

Page 3, line 1, after "easement" insert in italics "except party walls and beam rights".

Line 3, after the word "easement" insert in italics "except party walls and beam rights".

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 882, Int. No. 840) entitled "An act to provide for the excavation and construction of a shaft and the erection, installation and operation of an elevator connecting Fort Washington avenue and a tunnel street from Bennet avenue at One Hundred and Ninetieth street to Riverside drive, and for assessing the cost and expense thereof upon the property benefited," was read the second time.

On motion of Mr. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 874, Int. No. 832) entitled "An act to amend the Greater New York charter, in relation to autopsies at the New York city children's hospital and school at Randall's island," having been announced for a second reading,

On motion of Mr. Schifferdecker, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 559, Int. No. 545) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of sewers and

sewage disposal plants and other necessary construction incidental thereto and to the issuance of bonds therefor," was read the second time.

On motion of Mr. Sweet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 674, Int. No. 648) entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by a church or religious body devoted to social settlement work," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 306, Int. No. 302) entitled "An act to establish a commission on sites, grounds and buildings," was read the second time.

On motion of Mr. Willmott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 655, Int. No. 635) entitled "An act to provide for the construction of a bridge over the Black river and Moose river at Lyon Falls, in the county of Lewis, and making appropriations and reappropriations therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 99

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hopkins	Maloney	Seely J L
Baxter	Dox	Hover	McCue	Seelye G T
Bradley	Edwards	Hughes	McCollum	Silverstein
Brereton	Emden	Ingram	McDaniels	Smith J A
Brewster	Esquirol	Jackson	McElligott	Squire
Bryant	Evans	Kane	McGrath	Sutphin
Burden	Fitzgerald	Kelly J A	McKee	Taylor F J
Burr	Finnigan	Kelly J J	McKeon	Taylor T D
Bush	Fuller	Kelly J D	McMahon	Tudor



Butts	Gage	Kenney	O'Brien	Van Woert
Campbell	Gallup	Kennedy	Patrie	Walker
Carroll	Gathright	Kerrigan	Pembleton	Ward
Carver	Geoghan	Kiernan	Phillips	Webb
Caughlan	Geyer	Knight	Prime	Weil
Cole	Gillen	Larrimer	Pullman	Wood
Cuvillier	Grimme	Levy	Richardson	Ulrich
Deitz	Gurnett	Lewis	Schaap	Yale
Denney	Hamilton	Madden	Schifferdecker	Yard
Donohue	Hammer	Magee	Schnirel	Yeomans
Dorst	Hinman	Malone	Schwarz	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 362, Rec. No. 15) entitled "An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the superintendent of insurance," having been announced,

Debate was had thereon.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

AYES 67

NOES 13

Those who voted in the affirmative were:

Bryant	Doty	Ingram	Malone	Robinson
Burden	Dox	Jackson	Maloney	Schifferdecker
Burr	Emden	Kelly J A	McCue	Schwarz
Bush	Evans	Kelly J J	McCollum	Seely J L
Butts	Fitzgerald	Kelly J D	McDaniels	Silverstein
Campbell	Gallup	Kenney	McGrath	Smith T K
Carroll	Geoghan	Kerrigan	McKee	Taylor F J
Carver	Geyer	Kiernan	McMahon	Van Wcert
Caughlan	Gillen	Larrimer	O'Brien	Volk
Cole	Grimme	Levy	Patrie	Walker
Deitz	Gurnett	Lewis	Phillips	Weil
Denney	Hamilton	Madden	Pullman	Wood
Donohue	Hammer	Magee	Richardson	Yard
Dorst	Hover			

Those who voted in the negative were:

Adler	Gage	Kane	Prime	Smith J A
Cuvillier	Gathright	Knight	Seelye G T	Webb
Edwards	Hinman	Pembleton		

Mr. Walker moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.



Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

The bill (No. 832, Int. No. 251) entitled "An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled 'An act to incorporate the city of Oneonta', generally," having been announced for a third reading,

On motion of Mr. Butts, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 939, Int. No. 698) entitled "An act providing for the development and extension of the New York State Veterinary College at Cornell University, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Baumes	Dox	Hover	McCue	Seelye G T
Baxter	Edwards	Hughes	McCollum	Silverstein
Bradley	Emden	Ingram	McDaniels	Smith J A
Brereton	Esquirol	Jackson	McElligott	Smith M
Brewster	Evans	Kane	McGrath	Smith T K
Bryant	Fitzgerald	Kelly J A	McKee	Squire
Burden	Finnigan	Kelly J J	McKeon	Sutphin
Burr	Fuller	Kelly J D	McMahon	Taylor F J
Bush	Gage	Kenney	O'Brien	Taylor T D
Butts	Gallup	Kennedy	Patrie	Tudor
Campbell	Gathright	Kerrigan	Pembleton	Van Woert
Carroll	Geoghan	Kiernan	Phillips	Walker
Carver	Geyer	Knight	Prime	Ward
Caughlan	Gillett	Larrimer	Pullman	Webb
Cole	Grimme	Levy	Richardson	Weil
Cuvillier	Gurnett	Lewis	Schaap	Wood
Deitz	Hamilton	Madden	Schifferdecker	Ulrich
Denney	Hammer	Magee	Schnirel	Yale
Donohue	Hinman	Malone	Schwarz	Yard
Dorst	Hopkins	Maloney	Seely J L	Yeomans
Doty				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 938, Int. No. 170) entitled "An act to amend the Public Health Law, in relation to the State Institute for the Study of Malignant Disease," was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor there, and three-fifths being present.

AYES 101

NOES 00

Those who voted in the affirmative were:

Baumes	Dox	Hover	McCue	Seelye G T
Baxter	Edwards	Hughes	McCollum	Silverstein
Bradley	Emden	Ingram	McDaniels	Smith J A
Brereton	Esquirol	Jackson	McElligott	Smith M
Brewster	Evans	Kane	McGrath	Smith T K
Bryant	Fallon	Kelly J A	McKee	Squire
Burden	Finnigan	Kelly J J	McKeon	Sutphin
Burr	Fuller	Kelly J D	McMahon	Taylor F J
Bush	Gage	Kenney	O'Brien	Taylor T D
Butts	Gallup	Kennedy	Patrie	Tudor
Campbell	Gathright	Kerrigan	Pembleton	Van Woert
Carroll	Geoghan	Kiernan	Phillips	Walker
Carver	Geyer	Knight	Prime	Ward
Caughlan	Gillen	Larrimer	Pullman	Webb
Cole	Grimme	Levy	Richardson	Weil
Cuvillier	Gurnett	Lewis	Schaap	Wood
Deitz	Hamilton	Madden	Schifferdecker	Ulrich
Denney	Hammer	Magee	Schnirel	Yale
Donohue	Hinman	Malone	Schwarz	Yard
Dorst	Hopkins	Maloney	Seely J L	Yeomans
Doty				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the bill (No. 287, Int. No. 283) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the public school teachers' retirement fund of said city and payments therefrom," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

The Senate returned the bill (No. 792, Int. No. 268) entitled "An act to amend section two of the State Law, in relation to boundary lines between the State of New York and the State of Connecticut."

Also, the bill (No. 7, Int. No. 7) entitled "An act to repeal certain local laws relating to Washington county."

Also, the bill (No. 500, Int. No. 495) entitled "An act to amend chapter one hundred and forty-eight of the Laws of nineteen hundred and five. entitled 'An act to authorize the board of trustees of the village of White Plains to acquire lands for the site of a public library and to maintain a public library, and issue bonds therefor,' in relation to the amount to be raised by taxation and expended annually, for maintaining said library," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Kiernan, and by unanimous consent, the fact that he did not hear his name called upon the election of Regent on Tuesday, the 11th inst., and that had he heard his name called he would have voted for Charles B. Alexander for Regent was ordered spread upon the record.

Mr. M. Greenberg of New York was excused for the remainder of the week.

Privileges of the floor were extended to Hon. Charles Smith of Otsego.

On motion of Mr. Levy, the House adjourned.

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### FRIDAY, FEBRUARY 14, 1913.

The House met pursuant to adjournment.

Prayer by Rev. James N. Knipe.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the following communications:

FEBRUARY 10, 1913.

HONORABLE ALFRED E. SMITH, *Speaker of the Assembly, Albany, N. Y.*

SIR.—This Commission on the 5th instant received from the Clerk of the Assembly a certified copy of a resolution offered by Mr. Weil and adopted by the Assembly, reading as follows:

Resolved, That the Legislature hereby requests the Public Service Commission in the second district to make an immediate investigation and examination of the property and affairs of the New York Telephone Company for the purpose of determining

the value of its plant and all of its property and resources employed in the State of New York in furnishing telephone service and fixing a valuation thereon as a basis for estimating a flat rate per year to be charged by such company to subscribers to its service within the city of New York for an unlimited number of calls between points within such city, by any such subscriber or from the telephone or telephones furnished to such subscribers.

Understanding from this resolution that an adequate and complete inventory and appraisal of the property involved sufficient for rate making purposes should be undertaken, I am directed by the Commission to advise the Assembly of the following state of facts.

The New York Telephone Company has in the State of New York property used in its telephone business which it claims to be of value in excess of \$100,000,000. It has 364 exchanges, situate in 49 different counties, and in addition thereto it has hundreds of pay stations in small villages not having an exchange and also a very large mileage of long distance lines. The Commission has available for the said work one engineer and two inspectors, and has no appropriation whatsoever for employing any additional force for this purpose. This engineer and these inspectors are constantly employed upon the routine work of the Commission in the examination of exchanges, inspecting the physical condition thereof and in the performance of other duties connected with their respective positions. It is obvious that if they were to undertake this work and it took but one day to each exchange to perform the work, a period of 364 working days would be required — considerably upwards of a year. In addition to their services, clerical help would be required to tabulate and assemble the figures gathered by them in the progress of their investigation.

The Commission has carefully considered the time which would be required for making the inventory and valuation of the property of each exchange and it is advised by its engineer, and from its own experience in such matters it believes such advice to be correct, that on the average it would take probably four weeks for each exchange. Some of the exchanges could be inventoried and appraised very much quicker than this, while others which are situated in large cities would take much longer, owing to the necessity for ascertaining the location and condition of all the property claimed by the company to be owned by it.

Assuming the estimate to be correct, the entire number of weeks which would be occupied in making the inventory and appraisal would be 1456, a period of 28 years. If the inventory and appraisal were to take but one week to each exchange, and of course it is impossible that it could be done within such time on

an average, it would require a period of seven years with the existing force.

These facts are brought to the attention of the Assembly for the purpose of pointing out that in order to carry out the resolution of the Assembly and make it effective within a period of one year, a force of at least 100 men together with such clerical assistance as would be needed would be required to perform the desired work. Competent and experienced engineers and inspectors would be obtained at say \$1,800 a year. Their traveling expenses would be say \$75 a month, making an average for each one for salary and expenses of \$225 per month, or a total for them all of \$270,000. In addition to the engineers and inspectors, a sufficient clerical force would have to be organized to assemble and tabulate the results. We see no possibility of performing the work specified in the resolution as it should be performed and would have to be performed if it is to be of the slightest value, without an appropriation sufficient to cover the foregoing expenses.

Awaiting the further instructions of the Assembly, I remain,  
Yours very respectfully,

F. W. STEVENS,  
*Chairman.*

FEBRUARY 10, 1913.

HONORABLE ALFRED E. SMITH, *Speaker of the Assembly, Albany, N. Y.:*

SIR.—The Commission on the 5th instant received from the Clerk of the Assembly a certified copy of a resolution offered by Mr. Weil and adopted by the Assembly, reading as follows:

Resolved, That the Legislature hereby requests the Public Service Commission in the second district to make an immediate investigation and examination of the property and affairs of the New York Telephone Company for the purpose of determining the value of its plant and all of its property and resources employed in the State of New York in furnishing telephone service and fixing a valuation thereon as a basis for establishing a flat rate per year to be charged by such company to subscribers to its service within the city of New York for an unlimited number of calls, between points within such city, by any such subscriber or from the telephone or telephones furnished to such subscribers.

Understanding from this resolution that an adequate and complete inventory and appraisal of the property involved sufficient for rate making purposes should be undertaken, I am directed by the Commission to advise the Assembly that the Commission

has available for the work contemplated by the resolution only one engineer and two inspectors and has no appropriation whatsoever for employing any additional force for that purpose. Such engineer and inspectors are constantly employed in the routine duties of their positions and to take them away from such duties could not well be done without injury to the public service. The employment of an additional force is therefore necessary in the public interest in order to comply with the request of the Assembly, and for this purpose an appropriation should be made. In order to complete the work properly and satisfactorily would require a force of substantially 100 engineers and inspectors, with such clerical help as would be necessary to assemble and tabulate their figures. An appropriation of not less than \$250,000 would be necessary.

The Commission furnishes you under separate cover a somewhat detailed estimate showing the number of men which would be required and their expense, to which reference is made in case further detail is required.

Any further information upon this point which may be desired will be gladly given.

Awaiting the further instructions of the Assembly, I remain,

Yours very respectfully,

F. W. STEVENS,

*Chairman.*

FEBRUARY 11, 1913.

HON. ALFRED E. SMITH, *Speaker of the Assembly of the State of New York, Albany, N. Y.:*

DEAR SIR.—This Commission acknowledges the receipt of a certified copy of a resolution passed by the Assembly on February 3, 1913, asking this Commission to furnish to the Assembly such information as is in its possession with reference to the value of the plants of all individuals, copartnerships and corporations furnishing and selling illuminating gas in the second, third, fourth and fifth wards in the borough of Queens, in the city of New York, the cost of the production and distribution of gas in such wards, the income derived therefrom and any other information relative to the price of gas in such wards of the borough of Queens.

In the years 1910 and 1911, this Commission made an extensive and thorough investigation into the rates charged by the Queens Borough Gas and Electric Company for the supply of gas and electricity. An order was entered in this case on June 23, 1911, which read and provided as follows:

Ordered, That the maximum price to be charged for gas and

for electricity, in the fifth ward of the borough of Queens, city of New York, by the Queens Borough Gas and Electric Company shall be as follows:

From July 1, 1911, to January 1, 1912, one dollar and twenty cents (\$1.20) for one thousand (1,000) cubic feet of gas;

From January 1, 1912, to July 1, 1912, one dollar and fifteen cents (\$1.15) for one thousand (1,000) cubic feet of gas;

From July 1, 1911, to July 1, 1912, thirteen cents (.13) per kilowatt hour of electricity.

The order of June 23, 1911, was put in effect by the Queens Borough Gas and Electric Company and is still in effect. A certified copy of the opinion adopted by the Commission in this case is herewith transmitted to you.

This opinion contains at length the information requested by the Assembly. Additional copies of this opinion will gladly be furnished by the Commission to any members of the Assembly who desire the same. The Commission is not in possession of any information supplemental to the information contained in such opinions, except such information as has been from time to time published in the annual and quarterly reports of this Commission relative to gas corporations.

The opinion adopted and order entered by the Commission on June 23, 1911, as to the reducing of rates charged by the Queens Borough Gas and Electric Company related only to the fifth ward of the borough of Queens. In point of fact, the rates fixed by that order have also controlled rates charged for gas and electric service supplied by the Queens Borough Gas and Electric Company in a very limited territory outside of the fifth ward of the Borough of Queens. There is now pending before this Commission a case (No. 1610) recently instituted in relation to gas rates in the fourth ward of the borough of Queens.

There is not now, and has not at any time been, pending before the Commission any proceeding relative to gas rates in the second, third, fourth or fifth wards of the borough of Queens, except as above stated.

Very truly yours,

TRAVIS H. WHITNEY,

*Secretary.*

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally" (No. 511,



Rec. No. 50), which was read the first time and referred to the committee on ways and means.

"An act to amend the Code of Civil Procedure, in relation to service of summons by publication" (No. 442, Rec. No. 51), which was read the first time and referred to the committee on codes.

"An act to legalize certain acts and proceedings of the town of Harrison, its officers, agents and taxpayers, in the county of Westchester, relating to the establishment of a sewer district for such town and to the sale and issuance of its bonds therefor, and the acts and proceedings of the village of Rye in said county and of the Conservation Commission in connection therewith, and to provide for the payment of such bonds" (No. 376, Rec. No. 52), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Code of Criminal Procedure, in relation to compensation of witnesses committed" (No. 338, Rec. No. 53), which was read the first time and referred to the committee on codes.

Mr. Daley introduced a bill entitled "An act to amend the conservation law generally, in relation to fish and game; to repeal certain sections thereof and to amend certain sections of chapter three hundred and eighteen of the Laws of nineteen hundred and twelve" (Int. No. 1048), which was read the first time and referred to the committee on conservation.

Mr. Doty introduced a bill entitled "An act to provide a charter for the city of Middletown" (Int. No. 1049), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to amend the State Boards and Commissions Law, in relation to creating a State welfare commission and defining its powers and duties" (Int. No. 1050), which was read the first time and referred to the committee on ways and means.

Mr. J. A. Kelly introduced a bill entitled "An act to amend chapter four hundred and twenty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to amend the charter of the city of Poughkeepsie,' in relation to publishing ordinances and compensation of election officials" (Int. No. 1051), which



was read the first time and referred to the committee on affairs of cities.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Executive Law, in relation to the duties of the Attorney-General, in actions involving the constitutionality of a statute" (Int. No. 1052), which was read the first time and referred to the committee on the judiciary.

Mr. Larrimer introduced a bill entitled "An act to amend the Education Law, in relation to licensing of civil engineers and surveyors" (Int. No. 1053), which was read the first time and referred to the committee on public education.

Mr. Monohan introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to powers of the commission in the enforcement of provisions of the Labor Law affecting certain railroads" (Int. No. 1054), which was read the first time and referred to the committee on railroads.

Mr. Madden introduced a bill entitled "An act to establish three State workhouses for the imprisonment and employment of persons convicted of crimes or offenses; and to provide for the acquisition of lands therefor and the acquisition or erection of buildings therefor, and making appropriation therefor; and to provide for committal thereto, and for the use thereof and to abolish certain county penitentiaries" (Int. No. 1055), which was read the first time and referred to the committee on ways and means.

Mr. McCue introduced a bill entitled "An act to amend the Railroad Law, in relation to the conveyance of railroads and their franchises" (Int. No. 1056), which was read the first time and referred to the committee on railroads.

Mr. McDaniels introduced a bill entitled "An act to amend the Public Health Law, relative to medical licenses" (Int. No. 1057), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Public Health Law, in relation to the practice of undertaking and embalming and the licensing of undertakers and embalmers" (Int. No. 1058), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Public Health Law, relative to the

practice of optometry" (Int. No. 1059), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Public Health Law, relative to the exclusion of unvaccinated children from the public schools" (Int. No. 1060), which was read the first time and referred to the committee on public health.

Mr. McKee introduced a bill entitled "An act to amend the Education Law, relative to the powers of voters of school districts, and extending the use of school buildings" (Int. No. 1061), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Education Law, relative to the consolidation of districts by vote of a district meeting" (Int. No. 1062), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Education Law, relative to geographic names" (Int. No. 1063), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Education Law, relative to the establishment of scholarships for the aid of students in colleges" (Int. No. 1064), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Education Law, relative to the apportionment of school moneys by district superintendents of schools" (Int. No. 1065), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Education Law, relative to aid for blind and deaf students in colleges and universities" (Int. No. 1066), which was read the first time and referred to the committee on public education.

Mr. Walker introduced a bill entitled "An act to amend the Penal Law, in relation to the illegal use of trading stamps and similar devices" (Int. No. 1067), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Insurance Law, in relation to the capital of title, credit guaranty and securities guaranty corporations" (Int. No. 1068), which was read the first time and referred to the committee on insurance.

Mr. Yard introduced a bill entitled "An act to authorize the

board of supervisors of the county of Westchester to pay, as a county charge, a sum of money deposited with the county treasurer of said county by order of the Supreme Court" (Int. No. 1069), which was read the first time and referred to the committee on the judiciary.

Mr. Bush introduced a bill entitled "An act to amend the Military Law, in relation to the compensation of the major general" (Int. No. 1070), which was read the first time and referred to the committee on military affairs.

Mr. Cole introduced a bill entitled "An act to amend the Business Corporations Law, in relation to co-operative corporations" (Int. No. 1071), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Agricultural Law, in relation to the creation of a bureau of supervision of co-operative associations" (Int. No. 1072), which was read the first time and referred to the committee on agriculture.

Also, "An act to amend the Banking Law, in relation to agricultural co-operative banks" (Int. No. 1073), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Conservation Law, in respect to water supply to provide for union water districts and conservation water works" (Int. No. 1074), which was read the first time and referred to the committee on conservation.

Mr. Deitz introduced a bill entitled "An act directing the board of estimate and apportionment of the city of New York to direct that the cost and expense of constructing the Classon avenue system of relief sewers in the borough of Brooklyn, city of New York, shall be borne and paid by said borough of Brooklyn" (Int. No. 1075), which was read the first time and referred to the committee on affairs of cities.

Mr. Levy introduced a bill entitled "An act to establish a State Board of Estimate and to prescribe its powers and duties" (Int. No. 1076), which was read the first time and referred to the committee on ways and means.

Also, "An act to establish a State board of contract and supply and to regulate the purchase of all furnishings, materials and supplies for the offices, institutions and departments main-

tained by the State" (Int. No. 1077), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the State Finance Law, in relation to the powers and duties of the State Comptroller" (Int. No. 1078), which was read the first time and referred to the committee on ways and means.

Also, "An act to promote efficiency and economy in the public service and to create a department of efficiency and economy and to authorize the appointment of a commissioner of efficiency and economy as the head of such department" (Int. No. 1079), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Executive Law, in relation to counsel, examiners, auditors and assistants in the office of the Comptroller" (Int. No. 1080), which was read the first time and referred to the committee on ways and means.

Mr. Phillips introduced a bill entitled "An act to amend the Labor Law, in relation to the employment of children after school" (Int. No. 1081), which was read the first time and referred to the committee on labor and industries.

Mr. Donohue introduced a bill entitled "An act to amend the Greater New York charter, in relation to the powers of the commissioners of the sinking fund" (Int. No. 1082), which was read the first time and referred to the committee on affairs of cities.

Mr. Patrie introduced a bill entitled "An act to amend chapter sixty-eight of the Laws of eighteen hundred and sixty, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' generally" (Int. No. 1083), which was read the first time and referred to the committee on affairs of villages.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to making members of the aqueduct police of the board of water supply members of the police force of the city of New York" (Int. No. 1084), which was read the first time and referred to the committee on affairs of cities.

Mr. Patrie introduced a bill entitled "An act to amend the

Election Law, generally" (Int. No. 1085), which was read the first time and referred to the committee on the judiciary.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bush (No. 666, Int. No. 640), entitled "An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a life saving station."

Also, the bill introduced by Mr. Cole (No. 79, Int. No. 19) entitled "An act making an appropriation for the organization and support of county farm bureaus in the various counties of the State."

Also, the bill introduced by Mr. Horton (No. 267, Int. No. 263) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo."

Also, the bill introduced by Mr. Jackson (No. 46, Int. No. 46), entitled "An act making an appropriation for completing the construction of new buildings for the Buffalo State Normal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten."

Also, the bill introduced by Mr. Knight (No. 571, Int. No. 537), entitled "An act to amend the Town Law, in relation to biennial town meetings and the election and terms of office of town officers."

Also, the bill introduced by Mr. MacDonald (No. 535, Int. No. 521), entitled "An act to amend chapter one hundred and thirty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to authorize the county of Franklin to construct and maintain a county road system in said county, and to authorize the board of supervisors thereof to issue the bonds of said county in the aggregate amount of five thousand dollars for such county road system,' in relation to funds applicable to the purpose of said act."

Also, the bill introduced by Mr. MacDonald (No. 536, Int. No. 522), entitled "An act to amend the Town Law, in relation to the limitation of indebtedness of certain towns."

Also, the bill introduced by Mr. McElligott (No. 766, Int. No.

739), entitled "An act to amend the Poor Law, in relation to almshouse construction and administration."

Also, the bill introduced by Mr. McCollum (No. 448, Int. No. 443), entitled "An act making an appropriation additional to that made by chapter three hundred and ninety-seven of the Laws of nineteen hundred and twelve, for the construction of a drain from the culvert under the Erie canal, at Chapel street, in the city of Lockport."

Also, the bill introduced by Mr. J. A. Smith (No. 543, Int. No. 529), entitled "An act to amend chapter three hundred and twenty-four of the Laws of nineteen hundred, entitled 'An act to make the office of sheriff of Saint Lawrence county a salaried office, in part, and to regulate the management thereof,' generally."

Also, the bill introduced by Mr. Fitzgerald (No. 785, Int. No. 756), entitled "An act to amend chapter two hundred and thirty-nine of the Laws of eighteen hundred and fifty-nine, entitled 'An act in relation to Grosvenor library of the city of Buffalo,' as amended by chapter one hundred and sixty of the Laws of eighteen hundred and sixty-one, and chapter three hundred and thirty-three of the Laws of nineteen hundred and eight, in relation to the powers of the trustees of said library."

Also, the bill introduced by Mr. Bush (No. 992, Int. 879), entitled "An act authorizing the city of Elmira to issue bonds for paving purposes."

Also, the bill introduced by Mr. Willmott (No. 306, Int. No. 302), entitled "An act to establish a commission on sites, grounds and buildings."

Also, the bill introduced by Mr. Carroll (No. 799, Int. No. 764), entitled "An act to amend the Greater New York charter, in relation to the board of city record."

Also, the bill introduced by Mr. Bovie (No. 907, Int. No. 864), entitled "An act to amend chapter eighty-seven of the Laws of nineteen hundred and five, entitled 'An act to authorize the city of Mount Vernon to borrow money by the issue of bonds, for the purpose of purchasing sites and erecting buildings for the use of the fire and police departments, and to provide a sinking fund to pay principal and interest of said bonds,' in relation to the amount of such bonds."

Also, the bill introduced by Mr. J. D. Kelly (No. 674, Int. No. 648), entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by a church or religious body and devoted to social settlement work."

Also, the bill introduced by Mr. Lewis (No. 882, Int. No. 840), entitled "An act to provide for the excavation and construction of a shaft and the erection, installation and operation of an elevator connecting Fort Washington avenue and a tunnel street from Bennett avenue at One Hundred and Ninetieth street to Riverside drive, and for assessing the cost and expense thereof upon the property benefited."

Also, the bill introduced by Mr. Sweet (No. 559, Int. No. 545), entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of sewers and sewage disposal plants and other necessary construction incidental thereto and to the issuance of bonds therefor," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate bill (No. 30, Rec. No. 16) entitled "An act to amend the Code of Civil Procedure, in relation to docket of judgment," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading.

The bill (No. 666, Int. No. 640) entitled "An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a life saving station," having been announced,

Mr. Bush moved to amend as follows:

Page 2, line 10, after the word "hereby" strike out the words "intended to be conveyed", and insert in place thereof the following words: "authorized to be acquired by the United States".

Page 3, line 18, strike out the word "under" and insert in place thereof the word "upon".



Page 3, line 21, between the word "and" and the word "be" insert the word "to."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time and, on motion of Mr. Bush, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 19, Int. No. 19) entitled "An act making an appropriation for the organization and support of county farm bureaus in the various counties of the State," was read the second time.

On motion of Mr. Cole, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 474, Int. No. 469) entitled "An act to amend the Code of Criminal Procedure, in relation to docketing and enforcement of a judgment of conviction which imposes a fine," having been announced for a second reading,

On motion of Mr. Cuvillier and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 46, Int. No. 46) entitled "An act making an appropriation for completing the construction of new buildings for the Buffalo State Normal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 895, Int. No. 853) entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 927, Int. No. 884) entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said



bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 512, Int. No. 501) entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 711, Int. No. 685) entitled "An act to amend the Code of Civil Procedure, relating to when a foreign corporation may be sued," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 712, Int. No. 686) entitled "An act to amend the Code of Civil Procedure, relating to the place of trial of actions to recover damages for injuries to real estate situated without the State," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 448, Int. No. 443) entitled "An act making an appropriation additional to that made by chapter three hundred and ninety-seven of the Laws of nineteen hundred and twelve, for the construction of a drain from the culvert under the Erie canal, at Chapel street, in the city of Lockport," was read the second time.

On motion of Mr. McCollum, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 681, Int. No. 655) entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 172, Int. No. 173) entitled "An act to amend the Code of Civil Procedure, in relation to notices of pendency of action," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 267, Int. No. 263) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo," was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 435, Int. No. 430) entitled "An act to amend the State Charities Law, in relation to quarterly estimates of expenses; contingent fund," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 434, Int. No. 429) entitled "An act to amend the State Charities Law, in relation to purchases," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 401, Rec. No. 9) entitled "An act to amend the Domestic Relations Law, in relation to the adoption of a child directly from foster parents by either of such foster parents," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading.

The bill (No. 858, Int. No. 816) entitled "An act to amend the Lien Law, in relation to service of copy of notice," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 571, Int. No. 557) entitled "An act to amend the Town Law, in relation to biennial town meetings and the

election and terms of office of town officers," was read the second time.

On motion of Mr. Knight, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 535, Int. No. 521) entitled "An act to amend chapter one hundred and thirty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to authorize the county of Franklin to construct and maintain a county road system in said county, and to authorize the board of supervisors thereof to issue the bonds of said county in the aggregate amount of five hundred thousand dollars for such county road system,' in relation to funds applicable to the purpose of said act," was read the second time.

On motion of Mr. Macdonald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 536, Int. No. 522) entitled "An act to amend the Town Law, in relation to the limitation of indebtedness of certain towns," was read the second time.

On motion of Mr. Macdonald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 766, Int. No. 739) entitled "An act to amend the Poor Law, in relation to almshouse construction and administration," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 892, Int. No. 850) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 539, Rec. No. 35) entitled "An act to amend the Insurance Law, in relation to rate-making associations," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 538, Rec. No. 34) entitled "An act to amend the Insurance Law, in relation to organizations in assist-

ing in establishing insurance rates," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 541, Rec. No. 33) entitled "An act to amend the Insurance Law, in relation to organizations for assisting underwriters in insurance business generally," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 52, Rec. No. 32) entitled "An act to amend the Insurance Law, in relation to the policy or certificate of a life or casualty insurance corporation upon the co-operative or assessment plan," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 58, Rec. No. 31) entitled "An act to repeal chapter eighty-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to provide the minimum capital stock required for the organization of fire or marine insurance corporations,'" having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 55, Rec. No. 30) entitled "An act to amend the Insurance Law, in relation to life or casualty insurance corporations upon the co-operative or assessment plan," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 65, Rec. No. 28) entitled "An act to amend the General Corporation Law, in relation to corporate names," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said

bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 224, Rec. No. 27) entitled "An act to amend the Insurance Law, in relation to proceedings against and the liquidation of delinquent insurance corporations," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 543, Int. No. 529) entitled "An act to amend chapter three hundred and twenty-four of the Laws of nineteen hundred, entitled 'An act to make the office of sheriff of Saint Lawrence county a salaried office, in part, and to regulate the management thereof,' generally," was read the second time.

On motion of Mr. J. A. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate returned the bill (No. 430, Int. No. 425) entitled "An act to amend the Penal Law, in relation to processions on Sunday in cities," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Bush, the consideration of the third reading calendar was postponed until Monday next.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February* 13, 1913.

Resolved (if the Assembly concur), That the Legislature of the State of New York respectfully directs the Superintendent of Insurance to submit to the National Convention of Insurance Commissioners a request that a committee be appointed to investigate the necessity for any changes in the standard form of fire insurance policy and to recommend as soon as possible such changes as in the opinion of the committee may be necessary to the end that the Legislature of this State may enact appropriate legislation to carry such recommendations into effect.

By order of the Senate,

PATRICK E. McCABE,

*Clerk.*

which was referred to the committee on insurance.

On motion of Mr. Bush, the House adjourned.

MONDAY, FEBRUARY 17, 1913.

The House met pursuant to adjournment.

Prayer by Rev. James P. O'Connor.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Department of Highways, which was laid upon the table and ordered printed.

(See Assembly Document No. 11.)

Also, the annual report of the New York State Association of Surrogates, which was laid upon the table and ordered printed.

(See Assembly Document No. 35.)

Also, the annual report of the State Department of Health, which was laid upon the table and ordered printed.

(See Assembly Document No. 33.)

Also, the annual report of the Agricultural Advisory Board, which was laid upon the table and ordered printed.

(See Assembly Document No. 36.)

Mr. Speaker presented the resolutions of the Delaware County Bar Association, which was referred to the committee on ways and means.

A message from the Governor, by the hand of his Secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

ALBANY, *February* 17, 1913.

*To the Legislature:*

I have the honor to transmit herewith a report recently made to me by the New York State Agricultural Advisory Board organized under chapter 785 of the Laws of 1911, and having as its object the promotion and direction of agricultural education and the advancement of country life.

In my annual message to the Legislature on January 1st the recommendation was made that agricultural education should be fostered until agriculture is taught not only in a few colleges in the State but in every high school in our Commonwealth, and that whatever is within the power of the Legislature to do to sus-

tain, to promote and to upbuild the agricultural resources of the Empire State should speedily be done.

The report of the State Agricultural Advisory Board declares that its members have adopted certain resolutions bearing upon the question of agricultural education. These resolutions are herewith submitted to your honorable bodies as of general interest to the people of the State and I commend them to your most friendly consideration.

“(1) That the main effort toward the introduction of agricultural education, whether through State or local aid, be directed toward the study of agricultural and rural subjects in the public high schools.

“(2) That in addition to those institutions already authorized to train teachers of agriculture, special and adequate provision be made for training such teachers at the State Normal College and in one or more normal schools.

“(3) That the State Department of Education give direction, at a few points distributed with reference to the leading agricultural industries, to the development of adequate teaching equipments in high schools which may serve as examples and illustrations for the further extension of such equipment.

“(4) That the special State schools already established be developed toward teaching home economics and agricultural technology, the latter somewhat specialized for each school.

“(5) That the further development of the special State schools, when this may safely and wisely be accomplished, shall be made with reference chiefly to the fruit and vegetable growing interests, under which policy the southeastern and western parts of the State would be considered by the establishment of one school in each of those sections; and thereafter special schools of agriculture shall be established only if the people of a locality determine whether they desire a school and will take a substantial part in its financial support.

“(6) That this Board favors legislation enabling cities of the first and second class to establish public schools of agriculture either within or without the limits of said cities.

“(7) That in schools of agriculture hereafter established, the Commissioner of Education, the Commissioner of Agriculture, and the Director of the State College of Agriculture at Cornell University, shall be ex-officio members of the board of trustees.”

“That the following resolution be reaffirmed:

“That this Board recommends to the State the policy of the further introduction of instruction in agriculture into the public schools; and that to better accomplish this result, plans should be perfected as rapidly as possible for maintaining agricultural instruction with large allotments; and that an allotment be pro-



vided each school, union or high school, teaching a class of not less than fifteen in agriculture, and for the common district school giving an approval course in nature study."

which was referred to the committee on agriculture.

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally" (No. 274, Rec. No. 54), which was read the first time and referred to the committee on ways and means.

Mr. Adler introduced a bill entitled "An act to prevent interruption of the operation of Public Service Corporations" (Int. No. 1086), which was read the first time and referred to the committee on railroads.

Also, "An act to amend the Code of Civil Procedure, in relation to appeals from the Municipal Court of the city of Rochester" (Int. No. 1087), which was read the first time and referred to the committee on codes.

Mr. Allen introduced a bill entitled "An act to provide for the construction of a bridge over the Erie canal in the village of Whitesboro, and making an appropriation therefor" (Int. No. 1088), which was read the first time and referred to the committee on ways and means.

Mr. Baumes introduced a bill entitled "An act to amend the Town Law, in relation to town appropriations for Memorial Day" (Int. No. 1089), which was read the first time and referred to the committee on internal affairs.

Mr. Evans introduced a bill entitled "An act to amend the Executive Law, in relation to filing autograph signature and certificate of appointment of notary public" (Int. No. 1090), which was read the first time and referred to the committee on the judiciary.

Mr. Walker introduced a bill entitled "An act to amend the Greater New York charter, in relation to the licensing and regulating of certain trades or business" (Int. No. 1091), which was read the first time and referred to the committee on affairs of cities.



Also, "An act to amend the Penal Law, in relation to the giving of articles accompanying the sale of tobacco and liquor" (Int. No. 1092), which was read the first time and referred to the committee on codes.

Mr. Jude introduced a bill entitled "An act to ratify all proceedings of the city of Jamestown relating to the issuance and sale of one hundred and fifty thousand dollars water bonds, sold January twenty-second, nineteen hundred and thirteen, to authorize the execution and issuance of said bonds, to provide for the payment of the principal and interest of said bonds, and to authorize the resale of said bonds under certain conditions" (Int. No. 1093), which was read the first time and referred to the committee on the judiciary.

Mr. Willmott introduced a bill entitled "An act to provide for making surveys for improving and extending the canal system of the State, and making an appropriation therefor" (Int. No. 1094), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter, in relation to retirement from active service of officers, clerks and employees" (Int. No. 1095), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to the rank and salaries of officers of the fire department" (Int. No. 1096), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg, by request, introduced a bill entitled "An act to amend the Labor Law, in relation to employment of pavers and rammermen in cities of the first class" (Int. No. 1097), which was read the first time and referred to the committee on labor and industries.

Mr. Doty introduced a bill entitled "An act to amend chapter eight hundred and seventy-six of the Laws of nineteen hundred and eleven, entitled 'An act to constitute poor district number one of the county of Orange, in relation to the support of the poor in said district, and ratifying and confirming certain acts of the board of supervisors and other county officers in relation thereto,' in relation to the rights and powers of such district"

(Int. No. 1098), which was read the first time and referred to the committee on the judiciary.

Mr. McKee introduced a bill entitled "An act to amend the Public Health Law, in relation to the fees of the Health Officer of the Port of New York" (Int. No. 1099), which was read the first time and referred to the committee on public health.

Mr. Small introduced a bill entitled "An act to amend the Labor Law, in relation to protecting employees working near switchboards" (Int. No. 1100), which was read the first time and referred to the committee on labor and industries.

Mr. Gathright introduced a bill entitled "An act to amend the County Law, in relation to the publication of certain notices in Ulster county" (Int. No. 1101), which was read the first time and referred to the committee on internal affairs.

Mr. Volk introduced a bill entitled "An act to amend the Greater New York charter, in relation to the slaughtering of poultry and the selling of live poultry" (Int. No. 1102), which was read the first time and referred to the committee on affairs of cities.

Mr. Schwarz introduced a bill entitled "An act to authorize the city of Troy to provide funds to pay its contract obligations and expenses for public improvements in said city" (Int. No. 1103), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammer introduced a bill entitled "An act to authorize the Board of Claims to hear, audit and determine the claims of Louise B. Hill, Rowland F. Hill, Jr., George P. Hill, and Mary Louise Hill, legal representatives and successors in interest of Rowland F. Hill, deceased, against the State of New York" (Int. No. 1104), which was read the first time and referred to the committee on general laws.

Mr. Knight introduced a bill entitled "An act to amend the Penal Law, in relation to indeterminate sentences" (Int. No. 1105), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Liquor Tax Law, in relation to the transportation and delivery of liquor in certain towns" (Int. No. 1106), which was read the first time and referred to the committee on excise.

Mr. McElligott introduced a bill entitled "An act to amend the Insanity Law, in relation to the licensing of private institutions, psychopathic wards and detention hospitals for the insane and alleged insane" (Int. No. 1107), which was read the first time and referred to the committee on general laws.

Mr. O'Brien introduced a bill entitled "An act to amend the Town Law, in relation to the powers of supervisors and assessors in certain towns to employ clerks" (Int. No. 1108), which was read the first time and referred to the committee on internal affairs.

Also, "An act authorizing the board of town auditors of the town of White Plains to hear, audit, determine and allow the alleged claim of Alice Cox Anderson for services rendered the said town of White Plains as clerk of the board of assessors of said town, and to provide for the payment of such claim" (Int. No. 1109), which was read the first time and referred to the committee on internal affairs.

Mr. Macdonald introduced a bill entitled "An act to amend the County Law, in relation to publication of reports by county treasurer" (Int. No. 1110), which was read the first time and referred to the committee on internal affairs.

Also, "An act to legalize certain acts and proceedings of the former village of St. Regis Falls, its voters, officers and agents, dissolving such village, and to confirm and make effectual such dissolution" (Int. No. 1111), which was read the first time and referred to the committee on the judiciary.

Mr. Gurnett introduced a bill entitled "An act to provide for the repair of the unimproved portions of a through highway route from Albany to Buffalo, and making an appropriation therefor" (Int. No. 1112), which was read the first time and referred to the committee on ways and means.

Mr. Levy introduced a bill entitled "An act to amend the General Business Law, in relation to the listing of securities for sale on stock exchanges" (Int. No. 1113), which was read the first time and referred to the committee on codes.

Mr. Hearn introduced a bill entitled "An act to amend the Labor Law, in relation to the number of hours constituting a day's work and the compensation therefor" (Int. No. 1114), which

was read the first time and referred to the committee on labor and industries.

Mr. Oxford introduced a bill entitled "An act to amend the General Business Law, in relation to the manufacture and sale of tires for motor vehicles" (Int. No. 1115), which was read the first time and referred to the committee on general laws.

Mr. Kornobis introduced a bill entitled "An act to provide for the expense of acquiring title to the property necessary for widening Roebling street between Broadway and Division avenue, acquiring title to the public place, bounded by Division avenue, Lee avenue and the easterly line of Roebling street extending to Lee avenue, and acquiring title to the property necessary for the widening of Taylor street from Lee avenue to Bedford avenue, in the borough of Brooklyn, city of New York" (Int. No. 1116), which was read the first time and referred to the committee on affairs of cities.

Mr. McKee introduced a bill entitled "An act to amend the Penal Law, in relation to guard posts" (Int. No. 1117), which was read the first time and referred to the committee on codes.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bovie (No. 905, Int. No. 862), entitled "An act to amend chapter seven hundred and ten of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish the office of the comptroller of the city of Mount Vernon,' as amended by chapter sixty-nine of the Laws of nineteen hundred and one, as amended by chapter seventy-six of the Laws of nineteen hundred and ten, in relation to his annual report," re-reported the same with the following recommendations:

Page 1, line 3, before "comptroller" strike out "the"; after "comptroller" strike out "of" and insert "in".

Page 2, line 5, after "three" insert comma.

Line 11, after "absence" strike out "of" and insert "or".

Page 4, line 15, after "condition" strike out comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bovie (No. 906, Int. No. 863), entitled "An act to amend section one hundred and fifty-eight of chapter one hundred and eighty-two of the Laws of eighteen hun-

dred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the annual meeting of the common council," reported the same with the following recommendations:

Page 2, line 1, strike out period after first bracket and insert before bracket.

Line 3, strike out "meeting" and insert "meetings".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Caughlan (No. 613, Int. No. 593), entitled "An act to amend the Greater New York charter, in relation to plans for water fronts," reported the same with the following recommendation:

Page 3, line 11, strike out "such" and insert "said".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bovie (No. 908, Int. No. 865), entitled "An act to amend chapter seventy-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize and empower the city of Mount Vernon to acquire land for a site and to improve the same, or a site already possessed, and to erect a municipal building or buildings thereon, and to issue bonds for the purpose of purchasing or otherwise acquiring, improving and erecting the same,' in relation to the amount of such bonds," reported the same with the following recommendations:

Page 1, line 2, strike out "to" after "act"; strike out "authorize" and insert "authorizing".

Line 3, strike out "empower" and insert "empowering"; strike out "land" and insert "lands".

Page 2, line 2, strike out comma after "borrow".

Line 5, strike out comma after "may".

Line 8, strike out "said" and insert "any".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Evans (No. 193, Int. No. 190), entitled "An act to amend the Tax Law, in relation to sales for

non-payment of taxes in Sullivan county," reported the same with the following recommendations:

Page 4, line 5, after "Oneida" insert ", and the counties of the State other than those in the forest preserve are empowered to acquire and hold such lands. Within twenty days after the time for redemption has expired the county treasurer of each of the counties of Saint Lawrence, Sullivan, Lewis, Clinton and Oneida".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Emden (No. 312, Int. No. 308), entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' relative to local improvements," reported the same with the following recommendations:

Page 5, line 3, after "proposed" insert comma.

Page 8, line 21, after "any" strike out comma.

Page 18, line 3, after "such" strike out "payment" and insert "pavement".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Ingram (No. 293, Int. No. 289), entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York," reported the same with the following recommendations:

Page 2, line 11, after "pay," strike out "and" in italics and insert "and" in roman.

Line 13, strike out "reason" and insert "reasons".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and pro-

viding for its officers,' in relation to the salaries of the judges of the city court of Buffalo." (No. 267, Int. No. 263.)

"An act to amend chapter one hundred and thirty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to authorize the county of Franklin to construct and maintain a county road system in said county, and to authorize the board of supervisors thereof to issue the bonds of said county in the aggregate amount of five hundred thousand dollars for such county road system,' in relation to funds applicable to the purpose of said act." (No. 535, Int. No. 521.)

"An act to amend the Town Law, in relation to the limitation of indebtedness of certain towns." (No. 536, Int. No. 522.)

"An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a life saving station." (No. 666, Int. No. 640.)

"An act to amend chapter three hundred and twenty-four of the Laws of nineteen hundred, entitled 'An act to make the office of sheriff of Saint Lawrence county a salaried office, in part, and to regulate the management thereof,' generally." (No. 543, Int. No. 529.)

"An act making an appropriation for completing the construction of new buildings for the Buffalo State Normal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten." (No. 46, Int. No. 46.)

"An act making an appropriation for the organization and support of county farm bureaus in the various counties of the State." (No. 19, Int. No. 19.)

"An act making an appropriation additional to that made by chapter three hundred and ninety-seven of the Laws of nineteen hundred and twelve, for the construction of a drain from the culvert under the Erie canal, at Chapel street, in the city of Lockport." (No. 448, Int. No. 443.)

"An act to amend the Town Law, in relation to biennial town meetings and the election and terms of office of town officers." (No. 571, Int. No. 557.)

"An act to amend the Poor Law, in relation to almshouse construction and administration." (No. 766, Int. No. 739.)

"An act to amend chapter two hundred and thirty-nine of the Laws of eighteen hundred and fifty-nine, entitled 'An act in rela-



tion to Grosvenor library of the city of Buffalo,' as amended by chapter one hundred and sixty of the Laws of eighteen hundred and sixty-one, and chapter three hundred and thirty-three of the Laws of nineteen hundred and eight, in relation to the powers of the trustees of said library." (No. 785, Int. No. 726.)

"An act to amend chapter eighty-seven of the Laws of nineteen hundred and five, entitled 'An act to authorize the city of Mount Vernon to borrow money by the issue of bonds, for the purpose of purchasing sites and erecting buildings for the use of the fire and police departments, and to provide a sinking fund to pay principal and interest on said bonds,' in relation to the amount of such bonds." (No. 907, Int. No. 864.)

"An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by a church or religious body and devoted to social settlement work." (No. 674, Int. No. 648.)

"An act to establish a commission on sites, grounds and buildings." (No. 306, Int. No. 302.)

"An act authorizing the city of Elmira to issue bonds for paving purposes." (No. 922, Int. No. 879.)

"An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of sewers and sewage disposal plants and other necessary construction incidental thereto and to the issuance of bonds therefor." (No. 559, Int. No. 545.)

"An act to amend the Greater New York charter, in relation to the board of city record." (No. 799, Int. No. 764.)

"An act to provide for the excavation and construction of a shaft and the erection, installation and operation of an elevator connecting Fort Washington avenue and a tunnel street from Bennett avenue at One Hundred and Ninetieth street to Riverside drive, and for assessing the cost and expense thereof upon the property benefited." (No. 882, Int. No. 840.)

Mr. Patrie offered for the consideration of the House a resolution, in the words following:



Resolved, That the committee on labor and industries be discharged from the further consideration of Assembly bill (No. 1092, Int. No. 1037) entitled "An act to amend the Labor Law, in relation to employer's liability."

and that said bill be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 474, Int. No. 469) entitled "An act to amend the Code of Criminal Procedure, in relation to docketing and enforcement of a judgment of conviction which imposes a fine," having been announced for a second reading,

On motion of Mr. Eisner, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 895, Int. No. 853) entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty," having been announced for a second reading,

On motion of Mr. J. D. Kelly, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 927, Int. No. 884) entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same," was read the second time.

On motion of Mr. Knight, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 512, Int. No. 501) entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 711, Int. No. 685) entitled "An act to amend the Code of Civil Procedure, relating to when a foreign corporation may be sued," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 712, Int. No. 686) entitled "An act to amend the Code of Civil Procedure, relating to the place of trial of

actions to recover damages for injuries to real estate situated without the State," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 681, Int. No. 655) entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences," was read the second time.

On motion of Mr. Pembleton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 172, Int. No. 173) entitled "An act to amend the Code of Civil Procedure, in relation to notices of pendency of action," was read the second time.

On motion of Mr. Hammer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 435, Int. No. 430) entitled "An act to amend the State Charities Law, in relation to quarterly estimates of expenses; contingent fund," was read the second time.

On motion of Mr. Donohue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 434, Int. No. 429) entitled "An act to amend the State Charities Law, in relation to purchases," having been announced for a second reading,

On motion of Mr. Donohue, said bill was recommitted to the committee on general laws, retaining its place on the order of second reading.

The bill (No. 858, Int. No. 816) entitled "An act to amend the Lien Law, in relation to service of copy of notice," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 892, Int. No. 850) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 539, Rec. No. 35) entitled "An act to

amend the Insurance Law, in relation to rate-making associations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 538, Rec. No. 34) entitled "An act to amend the Insurance Law, in relation to organizations in assisting and establishing insurance rates," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 541, Rec. No. 33) entitled "An act to amend the Insurance Law, in relation to organizations for assisting underwriters in insurance business, generally," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 52, Rec. No. 32) entitled "An act to amend the Insurance Law, in relation to the policy or certificate of a life or casualty insurance corporation upon the co-operative or assessment plan," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 58, Rec. No. 31) entitled "An act to repeal chapter eighty-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to provide the minimum capital stock required for the organization of fire or marine insurance corporations,' " was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 55, Rec. No. 30) entitled "An act to amend the Insurance Law, in relation to life or casualty insurance corporations upon the co-operative or assessment plan," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 65, Rec. No. 28) entitled "An act to amend the General Corporation Law, in relation to corporate names," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading.

The Senate bill (No. 224, Rec. No. 27) entitled "An act to amend the Insurance Law, in relation to proceedings against and the liquidation of delinquent insurance corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The bill (No. 1032, Int. No. 561) entitled "An act to authorize the city of Troy to borrow moneys and to issue bonds therefor, for the water works department of said city, and to provide for the payment of said bonds," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1033, Int. No. 562) entitled "An act to amend the Second Class Cities Law, in relation to contracts for paving," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1070, Int. No. 395) entitled "An act to establish a pension fund for the paid officers and members of the fire department of the city of New Rochelle," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 207, Assembly Reprint No. 1071, Rec. No. 4) entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled "An act to provide for rapid transit railways in cities of over one million inhabitants,"' in relation to exempted parts of the borough of Brooklyn, city of New York," was read the second time.

On motion of Mr. Caughlan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1103, Int. No. 66) entitled "An act to amend the Code of Criminal Procedure, in relation to remissions of fine," was read the second time.

On motion of Mr. Eisner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1103, Int. No. 66) entitled "An act to amend the Highway Law, generally," having been announced for a second reading,

On motion of Mr. Evans, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1105, Int. No. 201) entitled "An act making appropriations, supplementary appropriations and reappropriations for improvements at the State hospitals for the insane," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1106, Int. No. 249) entitled "An act making an appropriation for surveys, field notes and manuscript maps affecting various canal and canal lands," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1107, Int. No. 110) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby preserve the scenery of the Palisades,' generally," having been announced for a second reading,

On motion of Mr. Grimme, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 1111, Int. No. 575) entitled "An act to amend the Greater New York charter, in relation to the duties and powers of the department of taxes and assessments," was read the second time.

On motion of Mr. Kerrigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1104, Int. No. 264) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals," was read the second time.

On motion of Mr. Horton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1110, Int. No. 503) entitled "An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights, constituting chapter six of the consolidated laws,'" having been announced,

Mr. Knight moved to amend as follows:

Line 4, page 2, strike out "[]" brackets and also word "persons".

Line 9, page 2, strike out "[,]" comma following word "issue" and insert word "or".

Line 9, page 2, strike out ", post or mail" following the word "display".

Lines 9 and 10, page 2, following word "any" in line 9, strike out "written or printed communication,".

Lines 16 and 17, page 2, following word "such" strike out word "written" in line 16, and words "or printed communication," line 17.

Line 16, page 3, strike out "[,]" comma at end of the line.

Lines 17, 18 and 19, page 3, strike out all down to and including "[;]" semi-colon in line 19.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1108, Int. No. 455) entitled "An act to amend the Code of Criminal Procedure, in relation to compensation of attorneys in certain cases," was read the second time.

On motion of Mr. Ward, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 545, Int. No. 531) entitled "An act to amend the County Law, in relation to the duties of county auditors," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 832, Int. No. 251) entitled "An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled 'An act to incorporate the city of Oneonta,' generally," having been announced,

Mr. Butts moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

In line 5, on page 10, strike out the word "reasonably".

In line 12, on page 10, strike out the words "whenever reasonable necessity there-".

In line 13, on page 10, strike out the words "for shall arise", and in the same line following the word "to" strike out the word "reasonably".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported

said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 836, Int. No. 63) entitled "An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester," having been announced for a third reading,

On motion of Mr. Bovie, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday, March 3rd.

The bill (No. 214, Int. No. 211) entitled "An act to provide for the repair of the public dock at Willard, Seneca county, used by the Willard State Hospital, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufran
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	



Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 444, Int. No. 439) entitled "An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity and providing for the improvement thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 133

NOES 1

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Pembleton	Telford
Bush	Gallup	Kelly J D	Phillips	Tudor
Butts	Gathright	Kelly P J	Prime	Ulrich
Carroll	Geoghan	Kenney	Pullman	Van Woert
Carver	Geyer	Kennedy	Richardson	Vert
Caughlan	Gibbs	Kerrigan	Robinson	Volk
Cole	Gillen	Kiernan	Rozan	Walker
Cotillo	Gillett	Knight	Schaap	Ward
Cronin	Goldberg	Kornobis	Schnirel	Webb
Cuvillier	Grace	Larrimer	Schwarz	Weil
Daley	Greenberg M	Levy	Seaker	Willmott
Deitz	Grimme	Lewis	Seely J L	Wood
Dennen	Gurnett	Machold	Seelye G T	Yale
Denney	Hamilton	Madden	Shepardson	Yard
Donohue	Hammer	Magee	Silverstein	Yeomans
Doty	Hearn	Maloney		

Those who voted in the negative were:

Patrie

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 771, Int. No. 420) entitled "An act to amend the Code of Criminal Procedure, in relation to new trials," was read

the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Mon han	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 838, Int. No. 633) entitled "An act to provide for a permanent fund for the payment of annuities on the retirement of officers of State hospitals for the insane," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Ke ly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Van Woert
Carroll	Geoghan	Kenney	Prime	Vert
Carver	Geyer	Kennedy	Pullman	Volk
Caug lan	Gibbs	Kerrigan	Richardson	Walker
Cole	Gillen	Kiernan	Robin on	Ward
Cotillo	Gillett	Knight	Rozan	Webb
Cronin	Goldt erg	Kornobis	Schaap	Weil
Cuvillier	Grace	Larrimer	Schnirel	Willmott
Daley	Greenberg M	Levy	Schwarz	Wood
Deitz	Grimme	Lewis	Seaker	Ulrich
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 839, Int. No. 61) entitled "An act to amend the Code of Civil Procedure, relative to the manner of serving citations on judicial accounting where the number of persons to be served exceeds fifty," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
B vie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ing am	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Van Woert
Carroll	Geoghan	Kenney	Prime	Vert
Carver	Geyer	Kennedy	Pullman	Volk
Caughlan	Gibbs	Kerrigan	Richardson	Walker
Cole	Gillen	Kiernan	Robi son	Ward
Cotillo	Gillett	Knight	Rozan	Webb
Cronin	Goldberg	Kornobis	Schaap	Weil
Cuvillier	Grace	Larrimer	Schnirel	Willmott
Daley	Greenberg M	Levy	Schwarz	Wood
Deitz	Grimme	Lewis	Seaker	Ulrich
Dennen	Gurnett	Macold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 835, Int. No. 676) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to fees for service of process," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCue	Small
Allen	Edwards	Hinman	McCollum	Smith J A
Baumes	Eisner	Hopkins	McElligott	Smith M

Baxter	Emden	Horton	McDaniels	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Fair ll	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Eutts	Gathright	Kelly P J	Philips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Ko.nobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 30, Rec. No. 16) entitled "An act to amend the Code of Civil Procedure, in relation to docket of judgment," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hover	McElligott	Smith M
Baxter	Emden	Hopkins	McDaniels	Smith T K
Benninger	Esquirol	Horton	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich

Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 401, Rec. No. 9) entitled "An act to amend the Domestic Relations Law, in relation to the adoption of a child directly from foster parents by either of such foster parents," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil

Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 789, Int. No. 36) entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," having been announced for a third reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 901, Int. No. 214) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally," having been announced for a third reading,

On motion of Mr. J. D. Kelly, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 922, Int. No. 879) entitled "An act authorizing the city of Elmira to issue bonds for paving purposes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 907, Int. No. 864) entitled "An act to amend chapter eighty-seven of the Laws of nineteen hundred and five, entitled 'An act to authorize the city of Mount Vernon to borrow money by the issue of bonds, for the purpose of purchasing sites and erecting buildings for the use of the fire and police departments, and to provide a sinking fund to pay principal and interest of said bonds,' in relation to the amount of such bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deits	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 799, Int. No. 764) entitled "An act to amend the Greater New York charter, in relation to the board of City Record," having been announced,

Mr. Carroll moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 4, line 9, after the word "designate" insert in italics "not more than three".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 785, Int. No. 756) entitled "An act to amend chapter two hundred and thirty-nine of the Laws of eighteen hun-

dred and fifty-nine, entitled 'An act in relation to Grosvenor library of the city of Buffalo,' as amended by chapter one hundred and sixty of the Laws of eighteen hundred and sixty-one and chapter three hundred and thirty-three of the Laws of nineteen hundred and eight, in relation to the powers of the trustees of said library," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 674, Int. No. 648) entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan

asylums and other charitable institutions in the city of New York with water and remitting assessments therefor,' in relation to exempting real estate owned by a church or religious body and devoted to social settlement work," having been announced,

Mr. J. D. Kelly moved that said bill be recommitted to the committee on charitable and religious societies, with instructions to report the same forthwith amended as follows:

Third line of title after "owned" insert "or leased", strike out the words "church or", after "religious" insert "society" and strike out "body".

Page 2, line 22, strike out "church or", strike out "body" and insert in italics "society", strike out "maintaining a church" and insert in italics "leasing for a period of not less than three years a".

Line 23, strike out "house or".

Page 3, line 14, strike out "society" and insert in italics "incorporated or unincorporated Social Settlement".

Line 15, strike out "body" and insert in italics "society".

Page 4, line 20, strike out "society" and insert in italics "incorporated or unincorporated Social Settlement", strike out "body" and insert in italics "society".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Willmott, from the committee on charitable and religious societies, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 882, Int. No. 840) entitled "An act to provide for the excavation and construction of a shaft and the erection, installation and operation of an elevator connecting Fort Washington avenue and a tunnel street from Bennett avenue at One Hundred and Ninetieth street to Riverside drive, and for assessing the cost and expense thereof upon the property benefited," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage:

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 559, Int. No. 545) entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' in relation to the construction of sewers and sewage disposal plants and other necessary construction incidental thereto and to the issuance of bonds therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCue	Small
Allen	Edwards	Hinman	McCollum	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Oxford	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 306, Int. No. 302) entitled "An act to establish a commission on sites, grounds and buildings," having been announced for a third reading,

On motion of Mr. Willmott, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

Mr. Weil offered for the consideration of the House a resolution, in the words following:

Resolved, That when the Assembly adjourns to-night it do so in honor of the memory of the late, the Hon. George W. Bauman, of the Twenty-second Assembly District, New York city, N. Y., a former member of this body.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Daley offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for use of the Assembly five hundred additional copies of Assembly bill (No. 1159, Int. No. 1048) entitled "An act to amend the Conservation Law, generally, in relation to fish and game; to repeal certain sections thereof and to amend certain sections of chapter three hundred and eighteen of the Laws of nineteen hundred and eleven."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Heyman	McCollum	Small
Allen	Edwards	Hinman	McCue	Smith J A
Baumes	Eisner	Hopkins	McDaniels	Smith M
Baxter	Emden	Horton	McElligott	Smith T K
Benninger	Esquirol	Hover	McKee	Squire
Bovie	Evans	Hughes	McKeon	Sufrin
Bradley	Fallon	Ingram	McMahon	Sullivan
Brereton	Farrell	Jackson	Monahan	Sutphin
Brewster	Finnigan	Jude	O'Brien	Sweet
Bryant	Fitzgerald	Kane	O'Connor	Taylor F J
Burden	Fuller	Kelly J A	Ox'ord	Taylor T D
Burr	Gage	Kelly J J	Patrie	Telford
Bush	Gallup	Kelly J D	Pembleton	Tudor
Butts	Gathright	Kelly P J	Phillips	Ulrich
Carroll	Geoghan	Kenney	Prime	Van Woert
Carver	Geyer	Kennedy	Pullman	Vert
Caughlan	Gibbs	Kerrigan	Richardson	Volk
Cole	Gillen	Kiernan	Robinson	Walker
Cotillo	Gillett	Knight	Rozan	Ward
Cronin	Goldberg	Kornobis	Schaap	Webb
Cuvillier	Grace	Larrimer	Schnirel	Weil
Daley	Greenberg M	Levy	Schwarz	Willmott
Deitz	Grimme	Lewis	Seaker	Wood
Dennen	Gurnett	Machold	Seely J L	Yale
Denney	Hamilton	Madden	Seelye G T	Yard
Donohue	Hammer	Magee	Shepardson	Yeomans
Doty	Hearn	Maloney	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Dennen offered for the consideration of the House a resolution, in the words following:

Whereas, Two battleships are to be added to the fighting strength of the United States navy this year and no provision has been made to build either of the vessels at a government navy yard; be it

Resolved, That the Legislature of the State of New York (if

the Senate concurs) respectfully ask Congress to authorize the construction of one of the ships at the Brooklyn navy yard where the workmen have demonstrated their superiority over the men of private shipbuilding plants by the excellent way in which they built the Connecticut and Florida and are constructing the New York in the same expeditious manner.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a joint committee of the Legislature consisting of two members of the Senate, to be appointed by the President of the Senate, and three members of the Assembly to be appointed by the Speaker of the Assembly, is hereby constituted a committee for the purpose of investigating and considering all matters pertaining to the subject of employment, employment agencies and the workings of the General Business Law relating to employment agencies, and to report its conclusions to the next annual session of the Legislature and recommend such proposed legislation in relation thereto as in the judgment of the committee will best conserve the interests of the people of the State; and be it further

Resolved, That the committee be authorized to sit during the recess of the Legislature outside of the city of Albany; that it be authorized and empowered to subpoena and compel the attendance of witnesses, including public officers and employees, and the production of books and papers, including public records and documents; to administer oaths, take proof and testimony, employ counsel and expert witnesses and examiners, stenographers and other necessary assistance; and have all the powers usual or incident to legislative committees including the adoption of rules for the conduct of its proceedings; and be it further

Resolved, That the actual and necessary expenses of the committee in carrying out the provisions of this resolution not exceeding the sum of five thousand dollars (\$5,000) be paid from the moneys appropriated for the contingent expenses of the Legislature by the treasurer on the warrant of the Comptroller to the order of the chairman of the committee, and that the committee may also receive and expend money voluntarily contributed to it for such purposes.

which was referred to the committee on ways and means.

Pursuant to notice, Mr. McCue called up the resolution in relation to the re-establishment of the army canteen introduced by Mr. Cuvillier.

Said resolution having been announced, on motion of Mr. Levy, said resolution was referred to the committee on military affairs.

By unanimous consent, Mr. Cuvillier called up his resolution in relation to the pay of letter carriers and the parcel post.

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Speaker announced the resolution of Mr. M. Greenberg in relation to the appointment of a committee to investigate the garment workers' strike in the city of New York, consideration of which was postponed until this day.

On motion of Mr. M. Greenberg, said resolution was recommended to the committee on ways and means.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 303, Int. No. 299) entitled "An act to authorize and empower the city of New York to acquire a site beyond its territorial limits for use of the New York City Reformatory of Misdemeanants under the jurisdiction of the department of correction of the city of New York," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from the Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 506, Int. No. 275) entitled "An act to amend the Greater New York charter, in relation to the department of parks," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 464, Int. No. 459) entitled "An act to amend the Greater New York charter, in relation to the transfer of moneys from the



general fund of the city to appropriate accounts for the purpose of adjusting deductions made under the provisions of the tax law referring to taxes upon special franchises," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 463, Int. No. 458) entitled "An act to amend the Greater New York charter, in relation to the transfer and utilization of cash balances in corporate stock funds," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 451, Int. No. 446) entitled "An act to amend the Greater New York charter, in relation to the disposition of the proceeds of certain personal property sold by the board of education," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 445, Int. No. 440) entitled "An act to amend the Greater New York charter, in relation to the cancellation of certain assessments for public improvements levied against property belonging to the city," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Privileges of the floor were extended to Hon. J. Levy of New York and Hon. J. Warren of New York.

Pursuant to resolution, Mr. Speaker declared the House adjourned.

## TUESDAY, FEBRUARY 18, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Frank R. Sherwood, Fort Plain.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same approved.

Mr. Bush introduced a bill entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' generally" (Int. No. 1118), which was read the first time and referred to the committee on affairs of cities.

Mr. Brewster introduced a bill entitled "An act to amend chapter one hundred and forty-two of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Corning,' in relation to apparatus and buildings for fire prevention" (Int. No. 1119), which was read the first time and referred to the committee on affairs of cities.

Mr. Donohue introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to temporary possession pending condemnation proceedings" (Int. No. 1120), which was read the first time and referred to the committee on codes.

Mr. Finnigan introduced a bill entitled "An act to provide for the construction of a bridge over the Nassau river formerly known as Newton creek, between the boroughs of Brooklyn and Queens, in the city of New York" (Int. No. 1121), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammer introduced a bill entitled "An act to amend the Executive Law, in relation to the powers of notaries public who are stockholders, directors, officers or employees of banks or other corporations" (Int. No. 1122), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Penal Law, in relation to burglary with explosives" (Int. No. 1123), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Penal Law, in relation to fraudulent checks or drafts" (Int. No. 1124), which was read the first time and referred to the committee on codes.

Mr. Willmott introduced a bill entitled "An act to amend the Education Law, in relation to State aid for industrial and vocational schools" (Int. No. 1125), which was read the first time and referred to the committee on public education.

Mr. Yard introduced a bill entitled "An act to amend chapter thirty of the Laws of nineteen hundred and nine, entitled 'An act relating to highways,' and constituting chapter twenty-five of the Consolidated Laws" (Int. No. 1126), which was read the first time and referred to the committee on internal affairs.

Mr. Bush introduced a bill entitled "An act to amend chapter three hundred and seventy of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the public schools in the city of Elmira,' relating to deposits of school money with the city chamberlain" (Int. No. 1127), which was read the first time and referred to the committee on public education.

Mr. Edwards introduced a bill entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' in relation to appropriations for hospital purposes" (Int. No. 1128), which was read the first time and referred to the committee on ways and means.

Mr. Brewster introduced a bill entitled "An act to provide for the removal of an island in the Chemung river at Corning, and making an appropriation therefor" (Int. No. 1129), which was read the first time and referred to the committee on ways and means.

Mr. Wood introduced a bill entitled "An act to amend the charter of the city of Gloversville, generally" (Int. No. 1130), which was read the first time and referred to the committee on affairs of cities.

Mr. McElligott introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to examination of children to determine their mental and physical condition" (Int. No. 1131), which was read the first time and referred to the committee on codes.

Mr. McKee introduced a bill entitled "An act to amend the Greater New York charter, in relation to the appointment of three

additional district superintendents in the department of education " (Int. No. 1132), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to changing grades of schools and classes by the board of education " (Int. No. 1133), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to salaries of the members of the supervising and teaching staffs of the board of education " (Int. No. 1134), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to powers of investigation of the board of education " (Int. No. 1135), which was read the first time and referred to the committee on affairs of cities.

Mr. Ulrich introduced a bill entitled "An act to amend the Public Health Law, in relation to violations of the provisions relating to pharmacy " (Int. No. 1136), which was read the first time and referred to the committee on public health.

Mr. Bush introduced a bill entitled "An act to amend the General Municipal Law, in relation to the licensing, taxing and regulating the business of transient retail merchants in cities of the third class, villages and towns " (Int. No. 1137), which was read the first time and referred to the committee on affairs of cities.

Mr. Lewis introduced a bill entitled "An act to amend the Religious Corporations Law, in relation to free churches in communion with the Protestant Episcopal church " (Int. No. 1138), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Hammer introduced a bill entitled "An act to amend the General Corporation Law, in relation to corporate names or titles " (Int. No. 1139), which was read the first time and referred to the committee on the judiciary.

Mr. Kenney introduced a bill entitled "An act to amend the Highway Law, in relation to the establishment of a new State route in Ulster county " (Int. No. 1140), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Highway Law, in relation to the establishment of a new State route in Ulster county" (Int. No. 1141), which was read the first time and referred to the committee on internal affairs.

Mr. Kane introduced a bill entitled "An act amending the Greater New York charter, in relation to the general powers of the park board" (Int. No. 1142), which was read the first time and referred to the committee on affairs of cities.

Mr. Bovie introduced a bill entitled "An act to authorize the town of Eastchester in the county of Westchester, to expend a sum not exceeding five thousand (\$5,000.00) dollars, for the purchase of a motor hook and ladder truck for said town, in accordance with the vote of the electors at a special meeting held in said town on the fifth day of November, nineteen hundred and twelve, and to authorize said town to issue its bonds to raise funds to meet said expenditure, and to provide for the payment of the principal and interest of said bonds" (Int. No. 1143), which was read the first time and referred to the committee on the judiciary.

Mr. Hammer introduced a bill entitled "An act to amend the Greater New York charter, in relation to the police pension fund" (Int. No. 1144), which was read the first time and referred to the committee on affairs of cities.

Mr. Hinman introduced a bill entitled "An act to amend the Labor Law, in relation to more than six days in any one week" (Int. No. 1145), which was read the first time and referred to the committee on labor and industries.

Mr. Hammer introduced a bill entitled "An act authorizing the police commissioner of the city of New York, in his discretion, to reappoint William H. Finley, a resigned member of the police department of such city, to the position of patrolman, after an investigation" (Int. No. 1146), which was read the first time and referred to the committee on affairs of cities.

Mr. McDaniels introduced a bill entitled "An act to provide for the purchase of land to be used for forestry purposes by the New York State College of Agriculture at Cornell University, and making an appropriation therefor" (Int. No. 1147), which was read the first time and referred to the committee on ways and means.

Mr. Schaap introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to persons who may not act as attorney in a justice's court" (Int. No. 1148), which was read the first time and referred to the committee on codes.

Mr. Malone introduced a bill entitled "An act to provide for the acquisition of a new site for the hygienic and antitoxin laboratories of the State Department of Health, construction of buildings thereon, and the disposition of the property now occupied for such purpose" (Int. No. 1149), which was read the first time and referred to the committee on public health.

By unanimous consent, Mr. Weil introduced a bill entitled "An act to amend the Tax Law, in relation to the amount of tax on transfers of stock" (Int. No. 1150), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Schwarz (No. 1032, Int. No. 561), entitled "An act to authorize the city of Troy to borrow moneys and to issue bonds therefor, for the water works department of said city, and to provide for the payment of said bonds."

Also, the bill introduced by Mr. Eisner (No. 1103, Int. No. 66), entitled "An act to amend the Code of Criminal Procedure, in relation to remissions of fine."

Also, the bill introduced by Mr. Bush (No. 1106, Int. No. 249), entitled "An act making an appropriation for surveys, field notes and manuscript maps affecting various canals and canal lands."

Also, the bill introduced by Mr. Bush (No. 1105, Int. No. 201), entitled "An act making appropriations, supplementary appropriations and reappropriations for improvements at the State hospitals for the insane."

Also, the bill introduced by Mr. Horton (No. 1104, Int. No. 264), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals."

Also, the bill introduced by Mr. Ward (No. 1108, Int. No. 455), entitled "An act to amend the Code of Criminal Procedure, in relation to compensation of attorneys in certain cases."

Also, the bill introduced by Mr. Schwarz (No. 1033, Int. No. 562), entitled "An act to amend the Second Class Cities Law, in relation to contracts for paving."

Also, the bill introduced by Mr. Pembleton (No. 681, Int. No. 655), entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences."

Also, the bill introduced by Mr. O'Brien (No. 892, Int. No. 850), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages."

Also, the bill introduced by Mr. Levy (No. 712, Int. No. 686), entitled "An act to amend the Code of Civil Procedure, relating to the place of trial of actions to recover damages for injuries to real estate situated without the State."

Also, the bill introduced by Mr. Levy (No. 711, Int. No. 685), entitled "An act to amend the Code of Civil Procedure, relating to when a foreign corporation may be sued."

Also, the bill introduced by Mr. Levy (No. 512, Int. No. 501), entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons."

Also, the bill introduced by Mr. J. D. Kelly (No. 858, Int. No. 816), entitled "An act to amend the Lien Law, in relation to service of copy of notice."

Also, the bill introduced by Mr. Knight (No. 927, Int. No. 884), entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same."

Also, the Senate bill introduced by Mr. Carswell (No. 1071, Rec. No. 4), entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-two, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to exempted parts of the borough of Brooklyn, city of New York."

Also, the bill introduced by Mr. Hammer (No. 172, Int. No. 173), entitled "An act to amend the Code of Civil Procedure, in relation to notices of pendency of action."

Also, the bill introduced by Mr. Carroll (No. 429, Int. No. 424), entitled "An act to amend the Code of Civil Procedure, in relation to service of petition in summary proceedings," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bovie (No. 1070, Int. No. 395), entitled "An act to establish a pension fund for the paid officers and members of the fire department of the city of New Rochelle," reported the same with the following recommendation:

Page 5, line 10, after "place" insert "d".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Donohue (No. 435, Int. No. 430), entitled "An act to amend the State Charities Law, in relation to quarterly estimates of expenses; contingent fund," reported the same with the following recommendations:

Page 1, line 3, after "laws," insert quotation marks.

Line 7, after "eleven," strike out quotation marks.

Page 2, line 24, after "fund" insert comma.

Page 3, line 15, after "institution" insert "s".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Levy (No. 1110, Int. No. 53), entitled "An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights, constituting chapter six of the Consolidated Laws,'" reported the same with the following recommendations:

Page 2, line 26, strike out final "s" in "eating-houses."

Page 3, line 20, insert comma after "shall"; insert comma after "also".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwartz, from the committee on revision, to which was referred the bill introduced by Mr. Kerrigan (No. 1111, Int. No.



575), entitled "An act to amend the Greater New York charter, in relation to the duties and powers of the department of taxes and assessments," reported the same with the following recommendations:

Page 1, lines 5, 6, 7 and 8, strike out and insert in italic.

Page 3, lines 12, 13, 14 and lines 19 to 27, both inclusive, strike out roman and insert in italic.

Page 3, line 27, add "s" to "determine" (see also recommendation above).

Page 4, lines 1 to 12, inclusive, strike out and insert in italic.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. McMahon offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on codes be discharged from the further consideration of Assembly bill (No. 1086, Int. No. 1031) entitled "An act to amend the Code of Civil Procedure, in relation to the establishment of a court of arbitration," and that said bill be referred to the committee on labor and industries.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Weil offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Assembly bill (No. 1102, Int. No. 1047) entitled "An act to amend the Real Property Law, in relation to long forms of covenants and recording of deeds," and that said bill be referred to the committee on taxation and retrenchment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 421, Int. No. 419) entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to body execution for the non-payment of certain judgments of the municipal court," having been announced for a second reading,

On motion of Mr. Adler, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 222, Int. No. 219) entitled "An act to amend the Penal Law, in relation to Sunday baseball," having been announced for a second reading,

On motion of Mr. Levy, said bill was recommitted to the committee on codes, retaining its place on the order of second reading.

The bill (No. 874, Int. No. 832) entitled "An act to amend the Greater New York charter, in relation to autopsies at the New York city children's hospital and schools at Randall's island," having been announced for a second reading,

On motion of Mr. Schifferdecker, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1112, Int. No. 326) entitled "An act to amend the Highway Law, generally," having been announced for a second reading,

On motion of Mr. Evans, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 666, Int. No. 640) entitled "An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a life saving station," having been announced for a third reading,

On motion of Mr. Bush, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 19, Int. No. 19) entitled "An act making an appropriation for the organization and support of county farm bureaus in the various counties of the State," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 267, Int. No. 263) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo," having been announced for a third reading,

On motion of Mr. Horton, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 46, Int. No. 46) entitled "An act making an appropriation for completing the construction of new buildings for the Buffalo State Normal and Training School, as provided by chapter five hundred and twenty of the Laws of nineteen hundred and ten," was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

**AYES 139**

**NOES 00**

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deits	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 571, Int. No. 557) entitled "An act to amend the Town Law, in relation to biennial town meetings and the election and terms of office of town officers," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Irgam	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deits	Grimme	Lewis	Schwarz	Wilimott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 535, Int. No. 521) entitled "An act to amend chapter one hundred and thirty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to authorize the county of Franklin to construct and maintain a county road system in said county, and to authorize the board of supervisors thereof to issue the bonds of said county in the aggregate amount of five hundred thousand dollars for such county road system,' in relation to funds applicable to the purpose of said act," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 536, Int. No. 522) entitled "An act to amend the Town Law, in relation to the limitation of indebtedness of certain towns," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K

Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hami'ton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 766, Int. No. 739) entitled "An act to amend the Poor Law, in relation to almshouse construction and administration," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 1

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich

Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Those who voted in the negative were:

Phillips

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 448, Int. No. 443) entitled "An act making an appropriation additional to that made by chapter three hundred and ninety-seven of the Laws of nineteen hundred and twelve, for the construction of a drain from the culvert under the Erie canal at Chapel street, in the city of Lockport," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edward	Hopkins	Maloney]	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert



Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 543, Int. No. 529) entitled "An act to amend chapter three hundred and twenty-four of the Laws of nineteen hundred, entitled 'An act to make the office of sheriff of Saint Lawrence county a salaried office, in part, and to regulate the management thereof,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil

Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 224, Rec. No. 27) entitled "An act to amend the Insurance Law, in relation to proceedings against and the liquidation of delinquent insurance corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 65, Rec. No. 28) entitled "An act to amend the General Corporation Law, in relation to coporate names," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 55, Rec. No. 30) entitled "An act to amend the Insurance Law, in relation to life or casualty insurance

corporations upon the co-operative or assessment plan," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 58, Rec. No. 31) entitled "An act to repeal chapter eighty-five of the Laws of eighteen hundred and ninety-nine, entitled 'An act to provide the minimum capital stock required for the organization of fire or marine insurance corporations,'" was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 52, Rec. No. 32) entitled "An act to amend the Insurance Law, in relation to the policy or certificate of a life or casualty insurance corporation upon the co-operative or assessment plan," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gal up	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillea	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Go dberg	Lane	Fozan	Webb
Cuv i lier	Grace	Larrimer	Schaap	Weil
Da'ey	Greenberg M	Levy	Scl nirel	Willard
Deitz	Gr mme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	H a n	Magee	Shepardson	Yeomans
Dox	Hinn an	Malone	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 541, Rec. No. 33) entitled "An act to amend the Insurance Law, in relation to organizations for assisting underwriters in insurance business generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kennedy	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Ccle	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Harilton	Machold	Seely J L	Yale
Donchue	Harmer	Macdon	Seelye G T	Yard
Doty	Herin	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 538, Rec. No. 34) entitled "An act to amend the Insurance Law, in relation to organizations in assisting in establishing insurance rates," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

The Senate bill (No. 539, Rec. No. 35) entitled "An act to amend the Insurance Law, in relation to rate-making associations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin



Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deits	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denrey	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 789, Int. No. 36) entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," having been announced for a third reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

Mr. Walker moved to take from the table his motion to reconsider the vote by which Senate bill (No. 362, Rec. No. 15) entitled "An act to amend the Insurance Law, in relation to requiring adjusters of loss or damage by fire to procure a certificate of authority from the Superintendent of Insurance" was lost February.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill having been announced,

Mr. Walker moved to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority all the members

elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Line	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K
Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin

Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deits	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February* 18, 1913.

Whereas, The investigations conducted by the aldermanic committee and the district attorney of the county of New York have disclosed that certain police officials in the city of New York have been allied with violators of the law; and,

Whereas, Such investigations have resulted in the conviction or indictment of several such officials, and revealed grave defects in the administration of the police department and in the enforcement of the criminal law by such department; and,

Whereas, Such conditions demand immediate legislation at this session of the Legislature to the end that such defects may be remedied and the confidence of the people in the officials charged with the maintenance of law and order be restored; and,

Whereas, It is imperative that the Legislature be fully informed as to what remedial legislation is necessary to eradicate so far as possible conditions that have been disclosed; and,

Whereas, The Legislature desires the hearty co-operation of all citizens anxious to destroy the league between the criminal and the officers of the law charged with the suppression of crime.

Resolved (if the Assembly concur), That a joint legislative committee be hereby created consisting of five Senators to be appointed by the President of the Senate, and six members of the Assembly, to be appointed by the Speaker of the Assembly, to confer with and invite suggestions from the public officials and committees engaged in conducting such investigations, and from

civil bodies and citizens, for the purpose of securing needed information and advice for drafting remedial legislation to correct such defects so that the same may be speedily submitted to and acted on at the present session of the Legislature; that such committee may hold meetings in the city of New York or elsewhere; that such committee may choose a chairman from its own members, employ counsel, and otherwise have all the powers of a legislative committee.

Resolved, That in view of the desirability of an early adjournment of the Legislature, such committee report its recommendations to the Legislature on or before the twentieth day of March, nineteen hundred and thirteen, together with drafts of proposed bills to carry such recommendations into effect.

By order of the Senate,

PATRICK E. McCABE,

*Clerk.*

which was referred to the committee on ways and means.

The Senate returned the concurrent resolution in relation to pay of letter carriers and the parcel post, with a message that they have concurred in the passage of the same without amendment.

At 12:25 o'clock P. M., on motion of Mr. Levy, the House took a recess until 12:45 P. M.

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## TWELVE O'CLOCK AND FORTY-FIVE MINUTES.

The House again convened.

By unanimous consent, Mr. Bush from the committee on ways and means to which was referred the resolution relative to a joint legislative committee to confer with and invite suggestions from public officials and for drafting remedial legislation to correct defects in the government, reported in favor of the adoption of the following resolution:

Whereas, The investigations conducted by the aldermanic committee and the district attorney of the county of New York have disclosed that certain police officials in the city of New York have been allied with violators of the law; and,

Whereas, Such investigations have resulted in the conviction or indictment of several such officials, and revealed grave defects

in the administration of the police department and in the enforcement of the criminal law by such department; and,

Whereas, Such conditions demand immediate legislation at this session of the Legislature to the end that such defects may be remedied and the confidence of the people in the officials charged with the maintenance of law and order be restored; and,

Whereas, It is imperative that the Legislature be fully informed as to what remedial legislation is necessary to eradicate so far as possible conditions that have been disclosed; and,

Whereas, The Legislature desires the hearty co-operation of all citizens anxious to destroy the league between the criminal and the officers of the law charged with the suppression of crime.

Resolved (if the Assembly concur), That a joint legislative committee be hereby created consisting of five Senators to be appointed by the President of the Senate, and six members of the Assembly, to be appointed by the Speaker of the Assembly, to confer with and invite suggestions from the public officials and committees engaged in conducting such investigations, and from civil bodies and citizens, for the purpose of securing needed information and advice for drafting remedial legislation to correct such defects so that the same may be speedily submitted to and acted on at the present session of the Legislature; that such committee may hold meetings in the city of New York or elsewhere; that such committee may choose a chairman from its own members, employ counsel, and otherwise have all the powers of a legislative committee.

Resolved, That in view of the desirability of an early adjournment of the Legislature, such committee report its recommendations to the Legislature on or before the twentieth day of March, nineteen hundred and thirteen, together with drafts of proposed bills to carry such recommendations into effect.

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to to the said resolution, and it was determined in the affirmative, a majority of all members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 139.

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hopkins	Maloney	Small
Allen	Eisner	Horton	McCollum	Smith J A
Baumes	Emden	Hover	McCue	Smith M
Baxter	Esquirol	Hughes	McDaniels	Smith T K

Benninger	Evans	Ingram	McElligott	Squire
Bovie	Fallon	Jackson	McKee	Sufrin
Bradley	Farrell	Jones	McKeon	Sullivan
Brewster	Finnigan	Jude	McMahon	Sutphin
Bryant	Fitzgerald	Kane	Monahan	Sweet
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	O'Brien	Taylor T D
Bush	Gallup	Kelly P J	O'Connor	Telford
Butts	Garvey	Kenney	Oxford	Tudor
Campbell	Gathright	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kerrigan	Pembleton	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Volk
Cole	Gillen	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Robinson	Ward
Cronin	Goldberg	Lane	Rozan	Webb
Cuvillier	Grace	Larrimer	Schaap	Weil
Daley	Greenberg M	Levy	Schnirel	Willard
Deitz	Grimme	Lewis	Schwarz	Willmott
Dennen	Gurnett	Macdonald	Seaker	Wood
Denney	Hamilton	Machold	Seely J L	Yale
Donohue	Hammer	Madden	Seelye G T	Yard
Doty	Hearn	Magee	Shepardson	Yeomans
Dox	Hinman	Malone	Silverstein	

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The privileges of the floor were extended to Hon. Wm. Walker of New York and Hon. J. J. McInerney of Monroe.

On motion of Mr. Levy, the House adjourned.

## WEDNESDAY, FEBRUARY 19, 1913.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

A message from the Governor, by the hand of his Secretary, was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

*February 19, 1913.*

*To the Legislature:*

One of the first duties of the State is to protect the life and promote the health of its citizens. There is no more important

subject of public administration than public health. The State comes very close home to the individual when it saves him from sickness and even from death. This, it can do, does do, and should continue to do in a much larger degree.

Believing that large opportunities in this direction were as yet only partially utilized in this State, on January 10th last I appointed a special commission to collect facts, receive suggestions, and make recommendations as to changes in the public health laws and their administration. This Commission of eminent citizens consisted of Hermann M. Biggs, M. D., chairman; Homer Folks, secretary; John A. Kingsbury, assistant secretary; E. R. Baldwin, M. D., W. E. Milbank, M. D., Mary Adelaide Nutting, John C. Otis, M. D., and Ansley Wilcox.

In order that needed legislation might be considered and enacted at this session, I requested the Commission to report to me in part at least, by February 15th instant.

In the short period of five weeks the Commission has collected a surprisingly large amount of authoritative information with regard to public health work in the various portions of the State. At ten public hearings it has received suggestions from sixty persons. It has communicated with the health officers of all towns, villages and cities of the State. It has made detailed inquiries through personal representatives as to public health conditions and administration in every town and village of two counties selected as typical.

On February 15th the Commission reported to me its findings and recommendations, which I transmit herewith for your careful consideration, and which will be followed ere long by a draft of a bill we are preparing to carry these recommendations into effect.

There is now no well co-ordinated system of public health administration in this State. Each town, village and city, except cities of the second class and Rochester, has its own local board of health, which is, to all intents and purposes, a law unto itself. It is manifest that although there are 1,400 towns, villages and cities in the State, there are not 1,400 different ways of dealing efficiently with each of the detailed problems of disease. A good method of controlling an outbreak of smallpox in one community is good in the others. The best methods of preventing the spread of the infection of typhoid fever in one community are the best methods for the State as a whole. A system of isolation and quarantine in dealing with scarlet fever which works well in one city will work well in other cities. A board of health consisting of a supervisor, justice of the peace, and other local authorities of a



town is not *prima facie* a qualified body to define an adequate method of stamping out diphtheria.

There are many subjects as to which complete local control and direction are imperative, but in matters of public health, the interests of all parts of the State are closely interwoven. In general, the cities appear to have worked out their health problems more effectively than the smaller communities and rural districts. The urban death rate, some years ago well above that of the rural and village population, has steadily fallen and is now below the rural and village rate. There appears to be no reason why the rural and village death-rate, and also the urban death-rate, should not be further greatly diminished. With all the natural advantages of rural life, there is no reason why the death-rate in the country should not be brought well below that of the city. I am convinced that by proper action, by carrying out the recommendations in this report, this can be brought about. A reduction of two in the number of deaths per thousand of population outside of cities of the first class would mean a saving of 7,000 lives per annum. By competent sanitary experts it is considered perfectly practicable to secure this result within a few years.

Aside from the economic value of everything which tends to conserve human life and efficiency, there are several important financial factors. It is a surprise to learn that the fees paid members of town and village boards of health last year in one county of the State amounted to \$1,592.80, and in another county to some \$1,200, indicating that the total amount paid by town and village taxpayers to members of local boards of health for attendance at meetings is from \$70,000 to \$100,000 per annum. No adequate returns for this expenditure are evident. The methods of quarantine in vogue in many localities involve great economic loss, amounting possibly, I am told, to as much as half a million dollars per annum. An outbreak of smallpox in any city or village involves serious losses to its business men, most of which are clearly avoidable. It may be conservatively estimated that the saving that would result from an efficient control of preventable disease other than tuberculosis throughout the State would be not less than \$10,000,000 per annum. Efficient public health administration pays. The motto of the New York City Health Department, "Public health is purchasable. Within natural limitations, any community can determine its own death-rate," should be made the motto of the State.

The Commission's report confirms my impression that there are very great opportunities for wise co-operation of local and State agencies in the protection of health and the saving of life. The



14,000 deaths per annum from tuberculosis can be greatly reduced in the near future. The people have determined that tuberculosis must be conquered. Last year's deaths from pulmonary tuberculosis were 821 fewer than the year before — 379 fewer in the city of New York and 442 fewer outside of the city. The movement for the prevention of tuberculosis is under way, but it needs greater momentum. It is not a one-season campaign, but a war, and no one knows through how many summers and winters it may last. It is our duty to prosecute it with all vigor. The people are with the movement.

In St. Lawrence county last week in eight towns the people voted upon the question of taxing themselves to establish and maintain a tuberculosis hospital. The proposition was carried in every town by majorities ranging from 2 to 1, to 8 to 1.

Another thing. The loss of 7,000 babies in this State per annum must be stopped. The remedy is simple — State-wide registration of births, and in industrial centers of population a sufficient number of infant welfare stations. A striking reduction in the infant mortality in New York city has accompanied the establishment of infant welfare stations. Prior to 1911, the number of deaths from diarrhoea and enteritis of infants under two years of age in New York city had been uniformly much over 5,000 — in 1910 it was 5,655. In 1911 a number of new infant welfare stations were established and the number of these deaths dropped to 4,479. In 1912, fifty-five stations were maintained by the health department of that city and the number of deaths under two years from diarrhoea and enteritis further declined to 3,958 — a reduction in two years of 1,697 infant deaths due to these causes as a result largely of infant welfare stations. In Greater New York the people have decreed that the needless sacrifice of innocent infant life shall cease. The rest of the State should speedily follow this excellent example.

It is my opinion that one thousand one hundred and twenty-eight deaths per annum from typhoid fever is at least one thousand too many. Diphtheria, measles, whooping cough—the deaths from all these can be greatly diminished. Not alone by controlling these infectious diseases, but also by creating increased interest in the subject of public health, the average of physical vigor, efficiency, and productivity can be greatly increased.

Among the more important reforms which the Commission recommends in order to make rapid progress toward these desirable results are the following:

1. That the tenure and compensation of the State Health Commissioner be such as to secure and retain the most efficient man

in the State for that service, and that he be required to devote substantially his entire time to his official duties.

2. That a Public Health Council be established with power to adopt sanitary regulations.

3. That the State Commissioner of Health exercise supervision over local health authorities and be specifically charged with the enforcement of the public health law.

4. That the State, outside of New York city, be divided into at least twenty sanitary districts with an expert sanitary supervisor in each devoting full time to health work.

5. That the duties of town and village health boards not otherwise provided for be transferred to town boards and village boards of trustees.

6. That health officers of towns and villages receive an annual minimum salary equivalent to at least fifteen cents per inhabitant of the village or town.

7. That health officers of towns and villages be charged with the following duties: (a) Annual survey and a continuous supervision of their districts. (b) Examination of all school children. (c) Inspection of all school buildings and places of popular assemblage. (d) Popular education as to public health. (e) Securing full registration of communicable diseases and of births and deaths. (f) Enforcement of public health laws and regulations.

8. The enactment of a modern statute for birth registration and other vital statistics.

9. Authority for each city, county, village and town to employ trained nurses, as infant welfare nurses, school nurses, tuberculosis nurses, and to visit the sick.

10. That the tuberculosis law be amended so as to provide (a) for more complete reporting of cases; (b) for supervision of reported cases by trained nurses; (c) for compulsory removal and detention of dangerous cases.

11. Additional State provision for incipient cases of pulmonary tuberculosis.

12. That a bureau of child hygiene, and a bureau of public health nursing, be added to the State Department of Health.

13. County hospitals for tuberculosis where not already established.

14. Adequate laboratory facilities readily available for all health authorities.

15. Establishment of contagious disease hospitals by local authorities, and their inspection by the State Health Department.

16. Regulation of midwifery.

17. Reports of health officers made presumptive evidence of facts stated; and such officers freed from personal liability, if acting in good faith.

18. Extension of educational work of the State Department of Health.

19. Encouragement of courses in sanitary science in educational institutions.

The facts set forth in the Commission's report fully justify these recommendations. I strongly urge that the legislation necessary to carry them into effect be enacted promptly.

The Commission calls attention to a number of other subjects having a vital relation to public health, as to which it believes action should be taken, but concerning which it has not been able in the limited time, to formulate specific recommendations. I have therefore asked the Commission to continue its work, and to report to me at a later date upon these and other pertinent matters.

It is gratifying to say the Commission has served wholly without compensation and has provided for its own expenses, except for stenographic services. The people of this State are under permanent obligations to its members for their painstaking and public-spirited services. They deserve the commendation of the people and the thanks of the State. They have done, and are doing, a great work for the general welfare.

WM. SULZER.

which was referred to the committee on public health.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Public Officers Law, in relation to official undertakings" (No. 245, Rec. No. 55), which was read the first time and referred to the committee on the judiciary.

"An act to legalize the authorization of an issue of six thousand dollars of bonds of the village of Bloomingdale for the improvement of its water supply" (No. 183, Rec. No. 56), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed" (No. 645, Rec. No. 57), which was read the first time and referred to the committee on affairs of cities.

"An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Com-

mission, and making an additional appropriation therefor" (No. 723, Rec. No. 58), which was read the first time and referred to the committee on ways and means.

"An act to amend the Code of Civil Procedure, in relation to depositions taken and to be used within the State" (No. 659, Rec. No. 59), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to personal service of summons" (No. 657, Rec. No. 60), which was read the first time and referred to the committee on codes.

"An act to authorize the board of supervisors of the county of Westchester to issue temporary loan bonds for the purpose of raising money to pay certificates of indebtedness of said county, issued pursuant to the provisions of chapter three hundred and forty-two of the Laws of nineteen hundred and two, entitled 'An act to make the office of the supervisor in the county of Westchester a salaried office, and to regulate the sessions of the board of supervisors in said county,' and acts amendatory thereof and supplemental thereto" (No. 176, Rec. No. 61), which was read the first time.

On motion of Mr. Yard, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Yard, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hinman	Maloney	Silverstein
Allen	Fisner	Hopkins	McCollum	Small
Baxter	Emden	Horton	McCue	Smith J A
Benninger	Esquirol	Hover	McDaniels	Smith M
Bovie	Evans	Ingram	McElligott	Squire
Bradley	Fallon	Jackson	McGrath	Sufran
Brereton	Farrell	Jones	McKee	Sullivan
Brewster	Finnigan	Jude	McKeon	Suptin

Bryant	Fitzgerald	Kane	McMahon	Sweet
Burden	Fuller	Kelly J A	Monahan	Tallett
Burr	Gage	Kelly J D	Norton	Taylor F J
Bush	Gallup	Kelly P J	O'Brien	Telford
Butts	Gathright	Kenney	Oxford	Tudor
Campbell	Geoghan	Kennedy	Patrie	Van Woert
Carroll	Geyer	Kerrigan	Pembleton	Vert
Carver	Gibbs	Kiernan	Prime	Volk
Caughlan	Gillen	Knight	Pullman	Walker
Cole	Gillett	Knott	Richardson	Ward
Cotillo	Goldberg	Kornobis	Robinson	Webb
Cronin	Grace	Larrimer	Rozan	Weil
Cuvillier	Greenberg A	Levy	Schaap	Willard
Daley	Greenberg M	Lewis	Schifferdecker	Willmott
Deitz	Grimme	Macdonald	Schnirel	Wood
Dennen	Gurnett	Macbold	Schwarz	Ulrich
Denney	Hamilton	Madden	Seely J L	Yale
Donohue	Hammer	Magae	Seelye G T	Yard
Dorst	Hearn	Malone	Shepardson	Yeomans
Doty	Heyman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages" (No. 373, Rec. No. 62), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Greater New York charter, in relation to plans for water fronts" (No. 417, Rec. No. 63), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Benevolent Orders Law, in relation to the National Order of the Daughters of Isabella" (No. 633, Rec. No. 64), which was read the first time and referred to the committee on the judiciary.

"An act to release to Charles W. Dayton, Jr., and Victor J. Dowling as executors of the last will and testament of Charles W. Dayton, deceased, all the right, title and interest of the people of the State of New York in and to certain real estate in the town of Yonkers, county of Westchester, State of New York, acquired by escheat or forfeiture upon the death of Charles Scola" (No. 412, Rec. No. 65), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation" (No. 135, Rec. No. 66), which was read the first time and referred to the committee on the judiciary.

"An act in relation to the holding of town meetings and elections in the county of Broome" (No. 600, Rec. No. 67), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals" (No. 815, Rec. No. 68), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Code of Civil Procedure, in relation to injunctions" (No. 814, Rec. No. 69), which was read the first time and referred to the committee on codes.

"An act to amend the Penal Law, in relation to obtaining property or credit by use of false statement" (No. 813, Rec. No. 70), which was read the first time and referred to the committee on codes.

Mr. Bradley, by request, introduced a bill entitled "An act to amend chapter three hundred of the Laws of nineteen hundred four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' by providing greater powers and duties relative to lighting" (Int. No. 1151), which was read the first time and referred to the committee on affairs of cities.

Also, by request, "An act to amend chapter three hundred of the Laws of nineteen hundred four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' relative to the lighting of streets and the providing of improved systems of street lighting" (Int. No. 1152), which was read the first time and referred to the committee on affairs of cities.

Mr. Edwards introduced a bill entitled "An act to create and establish a policemen's relief and pension fund for the police department of the city of Binghamton, and authorizing the granting and payment of pensions and relief therefrom" (Int. No. 1153), which was read the first time and referred to the committee on affairs of cities.

Mr. Gillen introduced a bill entitled "An act to amend chapter seven hundred and thirty-seven of the Laws of nineteen hundred

and eleven, entitled 'An act to authorize the board of assessors of the city of New York to estimate and allow the damages sustained by owners of real property fronting upon streets approaching the Manhattan bridge over the East river in said city,' in relation to powers of land owners on account of approaches to such bridge" (Int. No. 1154), which was read the first time and referred to the committee on affairs of cities.

Mr. Kiernan introduced a bill entitled "An act to amend the Greater New York charter, in relation to inspectors and examiners in the bureau of fire prevention of the fire department of the city of New York" (Int. No. 1155), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to disposal of discarded school books by the board of education" (Int. No. 1156), which was read the first time and referred to the committee on affairs of cities.

Mr. Kerrigan introduced a bill entitled "An act to amend the Greater New York charter, in relation to the regulation and registration of journeymen plumbers" (Int. No. 1157), which was read the first time and referred to the committee on affairs of cities.

Mr. Lane introduced a bill entitled "An act to amend the Highway Law, in relation to the maintenance of State and county highways" (Int. No. 1158), which was read the first time and referred to the committee on internal affairs.

Mr. Oxford introduced a bill entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine" (Int. No. 1159), which was read the first time and referred to the committee on affairs of cities.

Mr. Volk introduced a bill entitled "An act to amend the Election Law, in relation to the nomination and election of judicial officers" (Int. No. 1160), which was read the first time and referred to the committee on the judiciary.

Mr. Walker introduced a bill entitled "An act to amend the



Insurance Law, relative to the placing within this State of insurance on properties without this State in companies admitted or not admitted to do business within this State" (Int. No. 1161), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the creation of mutual companies to insure employers against loss, damage or compensation resulting from injuries suffered by employees or other persons for which the insured is liable" (Int. No. 1162), which was read the first time and referred to the committee on insurance.

Mr. Willmott introduced a bill entitled "An act to amend the Labor Law, in relation to the inspection of steam boilers, creating the State board of boiler rules and prescribing its powers and duties" (Int. No. 1163), which was read the first time and referred to the committee on labor and industries.

Mr. Yard introduced a bill entitled "An act to revise an act inadvertently repealed by chapter nine hundred and eight of the Laws of eighteen hundred and ninety-six, and by chapter sixty-two of the Laws of nineteen hundred and nine, entitled 'An act to authorize the sale of lands for non-payment of taxes, in the several towns in the county of Westchester,' and to ratify and confirm actions and proceedings had thereunder" (Int. No. 1164), which was read the first time and referred to the committee on the judiciary.

Mr. Yeomans introduced a bill entitled "An act to amend section one of chapter four hundred and fifty-nine of the Laws of nineteen hundred and seven, entitled 'An act in relation to school district number six in the town of Lyons in Wayne county, and repealing various acts relating specially thereto,' in relation to the boundaries of said district and the alteration thereof" (Int. No. 1165), which was read the first time and referred to the committee on public education.

Mr. P. J. Kelly introduced a bill entitled "An act to amend the Indian Law, in relation to medical aid and attendance of Indians residing on the Onondaga reservation" (Int. No. 1166), which was read the first time and referred to the committee on the judiciary.



Mr. Fallon introduced a bill entitled "An act to amend the Judiciary Law, in relation to compensation of the county judge of Nassau and Suffolk counties" (Int. No. 1167), which was read the first time and referred to the committee on the judiciary.

Mr. Gibbs introduced a bill entitled "An act to amend the Labor Law, in relation to fines imposed by employers upon workmen" (Int. No. 1168), which was read the first time and referred to the committee on labor and industries.

Mr. Eisner introduced a bill entitled "An act to amend the Real Property Law, in relation to registering titles to real property" (Int. No. 1169), which was read the first time and referred to the committee on general laws.

Mr. Silverstein introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to distribution of moneys realized under the provisions of such chapter" (Int. No. 1170), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Liquor Tax Law, in relation to sale of confiscated liquors" (Int. No. 1171), which was read the first time and referred to the committee on excise.

Mr. M. Greenberg introduced a bill entitled "An act to amend the Greater New York charter, in relation to the powers of the commissioner of water supply, gas and electricity relative to refrigerating plants" (Int. No. 1172), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to jurisdiction of city magistrates" (Int. No. 1173), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the decision of the court or the report of a referee on the trial of the whole issues of fact, and repealing section ten hundred and twenty-three, relating to the determination of particular questions" (Int. No. 1174), which was read the first time and referred to the committee on codes.

Mr. Cole introduced a bill entitled "An act to amend the Agricultural Law, in relation to the Commissioner of Agriculture" (Int. No. 1175), which was read the first time and referred to the committee on agriculture.

Mr. Walker introduced a bill entitled "An act to amend the Greater New York charter, in relation to stage or omnibus routes, and repealing certain sections thereof in relation thereto" (Int. No. 1176), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Labor Law, in relation to the manufacture, sale and use of mattresses" (Int. No. 1177), which was read the first time and referred to the committee on labor and industries.

Mr. Goldberg introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to the city magistrates' courts" (Int. No. 1178), which was read the first time and referred to the committee on codes.

Mr. Burr introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to references for the trial of issues" (Int. No. 1179), which was read the first time and referred to the committee on codes.

Mr. Emden introduced a bill entitled "An act providing for the construction of a lift or hoist bridge over the Erie canal, on First street, in the city of Utica, and making an appropriation therefor, and authorizing the city of Utica to raise money for the construction thereof" (Int. No. 1180), which was read the first time and referred to the committee on ways and means.

Mr. Burr introduced a bill entitled "An act to provide for the payment by the State of the claim of Michael O'Sullivan against the Brooklyn Heights Railroad Company for materials furnished and services rendered, together with interests and costs, and making an appropriation therefor" (Int. No. 1181), which was read the first time and referred to the committee on ways and means.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Insurance Law, in relation to rewards of nominal value for competing insurance brokers and agents" (Int. No. 1182), which was read the first time and referred to the committee on insurance.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Deitz (No. 912, Int. No. 689), entitled "An act to amend the Judiciary Law, in relation to the settlement of adjustment of certain actions in which an attorney shall have appeared."

Also, Assembly bill introduced by Mr. Phillips (No. 872, Int. No. 830), entitled "An act to amend chapter one hundred and thirty-four of the Laws of eighteen hundred and ninety-one, entitled 'An act to incorporate the Church Insurance Association,' generally."

Also, Assembly bill introduced by Mr. Robinson (No. 631, Int. No. 611), entitled "An act to amend the Town Law, in relation to the qualification of voters," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Burr (No. 732, Int. No. 704), entitled "An act to amend the Real Property Law, in relation to tenure of real property by aliens," reported the same with the following amendments:

Page 2, line 5, after the word "of" strike out the words "lands" and insert the words "real property"; also on same line strike out the word "the", first occurring, and insert the word "this".

On same page, line 11, after the word "twelve" add a comma ",", strike out the word "and" after the ",", and after the word "thirteen" insert the words "and fourteen".

On line 13, strike out the entire section and substitute the following:

"§ 3. This act shall take effect immediately."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Hover (No. 1095, Int. No. 1040), entitled "An act to amend chapter seven hundred and fifty-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise and consolidate the several acts in relation of the city of Hudson, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' in relation to the terms of and the time and manner of the election of the elective officer in said city."

Also, Assembly bill introduced by Mr. Emden (No. 462, Int.

No. 457), entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' generally and abolishing the office of ward collector."

Also, Assembly bill introduced by Mr. Denney (No. 1063, Int. No. 1011), entitled "An act to amend chapter six hundred and seventy-six of the Laws of nineteen hundred and seven, entitled 'An act to authorize the extension of Riverside park, in the city of New York, by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York,' generally."

Also, Assembly bill introduced by Mr. Malone (No. 120, Int. No. 120), entitled "An act to establish a firemen's pension fund and insurance fund in the city of Albany, and repealing certain acts in relation thereto known as chapter one hundred and seventy-three of the Laws of eighteen hundred and eighty-three, chapter three hundred and thirty-two of the Laws of eighteen hundred and eighty-five and chapter four hundred and eleven of the Laws of eighteen hundred and eighty-six."

Also, Assembly bill introduced by Mr. T. K. Smith (No. 755, Int. No. 727), entitled "An act in relation to the acceptance by dedication of streets, highways and alleys in the city of Syracuse."

Also, Assembly bill introduced by Mr. T. K. Smith (No. 750, Int. No. 722), entitled "An act restricting the filing and effect of certain maps of lands in and near the city of Syracuse, unless such maps are approved by the city engineer of the city of Syracuse."

Also, Assembly bill introduced by Mr. Esquirol (No. 1039, Int. No. 987), entitled "An act providing for the relief of William Shanley."

Also, Assembly bill introduced by Mr. Kerrigan (No. 381, Int. No. 377), entitled "An act to amend the Second Class Cities Law, relative to designation of official papers."

Also, Assembly bill introduced by Mr. Madden (No. 403, Int. No. 401), entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws

relating thereto,' in relation to pensions for certain retired employees of such city."

Also, Assembly bill introduced by Mr. Campbell (No. 933, Int. No. 890), entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed."

Also, Assembly bill introduced by Mr. Hearn (No. 1076, Int. No. 1021), entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the Fourth International Congress on School Hygiene to be held in said city, and for the benefit of the public health."

Also, Assembly bill introduced by Mr. Carver (No. 473, Int. No. 468), entitled "An act to amend the Greater New York charter in relation to the municipal explosives commission and to the powers, duties and regulations thereof."

Also, Assembly bill introduced by Mr. Geoghan (No. 223, Int. No. 220), entitled "An act transferring from the common council of the city of Buffalo to the board of park commissioners of said city jurisdiction and control over Kenilworth avenue in said city, and providing for the improvement of said avenue."

Also, Assembly bill introduced by Mr. Allen (No. 663, Int. No. 637), entitled "An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government of the territory so annexed," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 881, Int. No. 839) introduced by Mr. McMahon, entitled "An act to amend the Greater New York charter, in relation to proceedings for street openings," reported in favor of the passage of the same, with the following amendments:

Page 4, between lines 7 and 8 insert "§ 2. This act shall apply to pending proceedings in which commissioners shall have been appointed and their oaths filed at the time this act takes effect."

"§ 3. This act shall take effect immediately."

which report was agreed to, and said bill ordered reprinted, as amended and placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Foley (No. 508, Rec. No. 37), entitled "An act to amend the Greater New York charter, relative to proceedings for street openings," reported the same with the following amendments:

Page 12, between line 24 and 25 insert "§ 4. This act shall not apply to or in any way effect proceedings instituted under title four, chapter seventeen of the Greater New York charter in which commissioners shall have been appointed at the time this act takes effect."

"§ 5. This act shall take effect immediately."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Rozan (No. 1090, Int. No. 1035), entitled "An act to amend the County Law, in relation to special deputy clerks in certain counties."

Also, Assembly bill introduced by Mr. Small (No. 971, Int. No. 927), entitled "An act to amend the County Law, in relation to the powers and duties of assistants to clerks in certain counties."

Also, Assembly bill introduced by Mr. Bovie (No. 718, Int. No. 690), entitled "An act to amend chapter one hundred and eighty-five of the Laws of eighteen hundred and forty-six, entitled 'An act authorizing the election of trustees of public lands of the town of Eastchester, and defining their duties,' in relation to the election and powers of such trustees."

Also, Assembly bill introduced by Mr. Schwarz (No. 650, Int. No. 630), entitled "An act to amend the Highway Law, by adding a new section, to be known as section one hundred and forty-two-a, in relation to the cost of improvement of such highways between the rails and tracks and outside thereof of street surface railroads in villages and in cities of the second and third classes."

Also, Assembly bill, introduced by Mr. Gurnett (No. 379, Int. No. 375), entitled "An act to legalize the acts and proceedings of the board of supervisors of the county of Schuyler, in relation to changing the time for holding town meetings in such county."

Also, Assembly bill introduced by Mr. Vert (No. 560, Int. No. 546), entitled "An act authorizing the town board of the town of Mooers, Clinton county, to convey lands for cemetery purposes."

Also, Assembly bill introduced by Mr. Maloney (No. 555, Int. No. 541), entitled "An act to amend the Town Law, in relation to the meetings of town auditors," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 877, Int. No. 835) introduced by Mr. Gage, entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and nine, entitled 'An act relating to towns, constituting chapter sixty-two of the Consolidated Laws,'" reported in favor of the passage of the same, with the following amendment:

Amend title to read: "To amend the Town Law, in relation to fees of officers in criminal proceedings."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill (No. 736, Int. No. 708) introduced by Mr. Cuvillier, entitled "An act to amend the Military Law, in relation to the signal corps," reported in favor of the passage of the same, with the following amendments:

Page 2, line 11, strike out "eleven" and insert "twelve" in italics.

Page 2, line 23, strike out the entire line.

Page 4, line 14, after "authorized" strike out period and insert in italics "comma and may authorize the organization of an aviation company which shall constitute a part of the signal corps."

Page 5, line 3, strike out "Adjutant-General" and insert in italics "adjutants-general."

Page 11, line 18, strike out "attachments" and insert in italics "detachments".

Page 17, line 3, after "eleven" insert in italics "and by chapter one hundred and sixty-five of the Laws of nineteen hundred and twelve".

Page 19, line 24, after "New York" and the ensuing comma insert in italics "and the secretary of the armory board".



Page 20, line 2, strike out the period and insert in italics "and for administration by the armory board".

Page 20, line 4, strike out "estimate" and insert in italics "estimates of the commanding officers and of the secretary of the armory board".

Page 20, line 10, after "city" and the ensuing comma insert in italics "and for administration by the armory board".

Page 20, line 17, after districts insert in italics "and for the administration by the armory board".

Page 20, line 25, after repairs insert in italics "comma utensils, supplies, work, labor and materials".

Page 21, line 24, strike out "officers" and insert in italics "officer".

Page 24, line 20, after "eleven" insert in italics "and by chapter fifty-six of the Laws of nineteen hundred and twelve".

Page 24, line 25, after "follows" and the ensuing colon insert in italics "seven hundred and fifty dollars for each headquarters of a field artillery battalion and of a signal corps battalion:".

Page 25, line 1, strike out in italics "and each company of signal corps".

Page 25, line 2, strike out comma after the word "troop" and insert in italics "and each company of signal corps;".

Page 25, line 3, after "hospital" strike out the ensuing comma and insert in italics "and ambulance company".

Page 25, line 6, after "hospital" and the ensuing comma insert in italics "ambulance company", and strike out "separate".

Page 25, line 7, strike out "separate".

Page 25, line 9, after "hospital" and ensuing comma insert in italics "ambulance company". After "troop" and ensuing comma strike out "separate" twice.

Page 25, line 10, after "battery" and ensuing comma strike out "separate".

Page 25, line 17, after "hospital" and the ensuing comma insert in italics "ambulance company", and strike out "separate".

Page 25, line 20, strike out a "coast" and insert in italics "an".

Page 25, line 23, strike out "coast".

Page 25, line 24, strike out "coast".

Page 26, line 10, after "nine" insert in italics "and by chapter fifty-six of the Laws of nineteen hundred and twelve".

Page 26, line 16, strike out "not parts of regi-".

Page 26, line 17, strike out "ments".

Page 27, line 1, after "hospitals" insert in italics "and ambulance companies"; strike out "department" insert "corps".



Page 27, line 26, after "eleven" insert in italics "and by chapter fifty-six of the Laws of nineteen hundred and twelve".

Page 28, line 5, after "militia" and the ensuing comma insert in italics "For the headquarters of the chief of coast artillery,".

Page 28, line 8, after "additional" insert "to naval battalions for each signal division and two hundred and fifty dollars for each engineer division contained therein." Strike out "for each naval battalion provided it contains a special".

Page 28, line 9, strike out "division".

Page 28, line 22, strike out "coast".

Page 28, line 23, strike out "coast".

Page 28, line 25, strike out "coast".

Page 29, line 4, strike out "coast".

Page 31, line 2, strike out "officer" and insert in italics "officers".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Herrick, from the committee on military affairs, to which was referred Senate bill introduced by Mr. Herrick (No. 397, Rec. No. 7), entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McDaniels, from the committee on public health, to which was referred Assembly bill (No. 315, Int. No. 311) introduced by Mr. Goldberg, entitled "An act to amend the Public Health Law, in relation to the registration of nurses," reported in favor of the passage of the same, with the following amendments:

Page 2, line 3, after the word "nursing" strike out the words "as has" and insert in italics the following: "And who have".

Page 2, line 3, after the word "experience" insert in italics the following: "in the practice of nursing".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Code of Civil Procedure, in relation to

discovery of books and papers by photographing the same." (No. 927, Int. No. 884.)

"An act to amend the Code of Civil Procedure, relating to when a foreign corporation may be sued." (No. 711, Int. No. 685.)

"An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences." (No. 681, Int. No. 655.)

"An act to amend the Lien Law, in relation to service of copy of notice." (No. 858, Int. No. 816.)

"An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages." (No. 892, Int. No. 850.)

"An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons." (No. 512, Int. No. 501.)

"An act to amend the Code of Civil Procedure, in relation to service of petition in summary proceedings." (No. 429, Int. No. 424.)

"An act to amend the Code of Civil Procedure, relating to the place of trial of actions to recover damages for injuries to real estate situated without the State." (No. 712, Int. No. 686.)

"An act to amend chapter seven hundred and ten of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish the office of comptroller of the city of Mount Vernon,' as amended by chapter sixty-nine of the Laws of nineteen hundred and one, as amended by chapter seventy-six of the Laws of nineteen hundred and ten, in relation to his annual report." (No. 1122, Int. No. 862.)

"An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York." (No. 1117, Int. No. 289.)

"An act making appropriations, supplementary appropriations and reappropriations for improvements at the State hospital for the insane." (No. 1105, Int. No. 201.)

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on taxation and retrenchment be discharged from the further consideration of the bill (No. 693, Int. No. 667) entitled "An act to amend the Tax Law, in relation to the taxation of the personal property of corporations."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Bush moved to amend as follows:

Page 1, line 9, change "person" to "personal".

Page 3, line 1, change "Subdivision" to "Subdivisions" and insert thereafter the words "one and".

Line 5, change "is" to "are".

Between lines 6 and 7, insert the following: "1. In the first column, the names of all persons and corporations taxable in the tax district, [taxable] on personal property."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Bush, said bill was ordered reprinted and recommitted to said committee.

Mr. Denney offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 756, Int. No. 729) entitled "An act to amend the Greater New York charter, in relation to regulating and licensing public dance halls and ball rooms."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Denney moved to amend as follows:

Page 3, after the period on line 22, insert in italics the following: "If a place complies with this section, an applicant who has given the required bond shall be entitled to a license thereof as a matter of right."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Denney, said bill was ordered reprinted and recommitted to said committee.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on codes be discharged from the further consideration of the bill (No. 27, Int. No. 27) entitled "An act to amend subdivision one, section four hundred and eighty-four, chapter eighty-eight, Laws of nineteen hundred and nine, entitled 'An act providing for the punishment of crime.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Cuvillier moved to amend as follows:

Page 1, strike out all of title after the word "amend" and insert in place thereof the following: "the Penal Law, in relation to the admission of children to moving picture shows."

Page 1, line 5, after the word "by" insert the following: "chapter two hundred and seventy-eight of the Laws of nineteen hundred and nine, chapters three hundred and eighty-three and four hundred and seventy-five of the Laws of nineteen hundred and ten and".

Page 2, line 9, after the word "auspices" insert a comma.

Page 2, line 11, after the word "institution" insert a comma; strike out all of line after the comma after the word "profit".

Page 2, strike out all of lines 12 to 26, both inclusive, and insert in place thereof in italics, except the final word "or" and the ensuing period, the following: "except that any child under the age of sixteen years may be admitted to a moving picture resort without parent or guardian on week days except Saturday and school holidays between the hours of three o'clock and six o'clock post meridian and allowed to remain until six-thirty; and may be admitted on Saturdays, Sundays and school holidays between the hours of one post meridian and six post meridian and allowed to remain until six-thirty; provided that in said moving picture resort a separate space shall be set apart exclusively for unaccompanied children and all unaccompanied children shall be segregated in this separate space; and that a matron, who shall not be less than twenty-five years of age shall be in charge of said children. Said matron shall be employed by the management of the moving picture resort, only after she shall have satisfied the official that issued the license to said moving picture establishment of her fitness for said position, and obtained a certificate of approval of her employment as matron from said official. Said matron shall at all times thereafter, while so employed, be

under the jurisdiction of the official that issued her the certificate of approval, and if during the employment of said matron, the said official should have reason to believe that said matron is neglectful of her duty or incompetent, the said official shall issue a notice to the proprietor of said moving picture establishment withdrawing the said certificate of approval, or,".

Page 3, strike out lines 1 to 7, inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Cuvillier, said bill was ordered reprinted and recommitted to said committee.

The bill (No. 1112, Int. No. 326) entitled "An act to amend the Highway Law, generally," having been announced for a second reading,

On motion of Mr. Evans, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 267, Int. No. 263) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo," having been announced for a third reading,

On motion of Mr. Horton, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 429, Int. No. 424) entitled "An act to amend the Code of Civil Procedure, in relation to service of petition in summary proceedings," having been announced for a third reading,

On motion of Mr. Carroll, said bill was recommitted to the committee on codes, retaining its place on the order of third reading.

The bill (No. 927, Int. No. 884) entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same," having been announced for a third reading,

On motion of Mr. Knight, and by unanimous consent, said bill

was ordered placed on the third reading calendar for Monday next.

The bill (No. 858, Int. No. 816) entitled "An act to amend the Lien Law, in relation to service of copy of notice," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hinman	Maloney	Silverstein
Allen	Eisner	Hopkins	McCollum	Small
Baxter	Emden	Horton	McCue	Smith J A
Benninger	Esquirol	Hover	McDaniels	Smith M
Bovie	Evans	Ingram	McElligott	Squire
Bradley	Fallon	Jackson	McGrath	Sufrin
Brereton	Farrell	Jones	McKee	Sullivan
Brewster	Finnigan	Jude	McKeon	Sutphin
Bryant	Fitzgerald	Kane	McMahon	Sweet
Burden	Fuller	Kelly J A	Monahan	Tallett
Burr	Gage	Kelly J D	Norton	Taylor F J
Bush	Gallup	Kelly P J	O'Brien	Telford
Butts	Gathright	Kenney	Oxford	Tudor
Campbell	Geoghan	Kennedy	Patrie	Ulrich
Carroll	Geyer	Kerrigan	Pembleton	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillen	Knight	Pullman	Vol'k
Cole	Gillett	Knott	Richardson	Walker
Cotillo	Goldberg	Kornobis	Robinson	Ward
Cronin	Grace	Larrimer	Rozan	Webb
Cuvillier	Greenberg A	Levy	Schaap	Weil
Daley	Greenberg M	Lewis	Schifferdecker	Willard
Deitz	Grimme	Macdonald	Schnirel	Willmott
Dennen	Gurnett	Machold	Schwarz	Wood
Denney	Hamilton	Madden	Seely J L	Yale
Donohue	Hammer	Magee	Seelye G T	Yard
Dorst	Hearn	Malone	Shepardson	Yeomans
Doty	Heyman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 512, Int. No. 501) entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons," having been announced,

Mr. Levy moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith, amended as follows:

On page 2, line 9, after the “.” following the word “rest” add in italics: “Nothing herein contained shall be construed to permit any person to carry on business or perform labor on more than six days in any week.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McGrath, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 711, Int. No. 685) entitled “An act to amend the Code of Civil Procedure, relating to when a foreign corporation may be sued,” was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hinman	Maloney	Silverstein
Allen	Eisner	Hopkins	McCollum	Small
Baxter	Emden	Horton	McCue	Smith J A
Benninger	Esquirol	Hover	McDaniels	Smith M
Bovie	Evans	Ingram	McElligott	Squire
Bradley	Fallon	Jackson	McGrath	Sufrin
Brereton	Farrell	Jones	McKee	Sullivan
Brewster	Finnigan	Jude	McKeon	Sutphin
Bryant	Fitzgerald	Kane	McMahon	Sweet
Burden	Fuller	Kelly J A	Monahan	Tallett
Burr	Gage	Kelly J D	Norton	Taylor F J
Bush	Gallup	Kelly P J	O'Brien	Telford
Butts	Gathright	Kenney	Oxford	Tudor
Campbell	Geoghan	Kennedy	Patrie	Ulrich
Carroll	Geyer	Kerrigan	Pembleton	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillen	Knight	Pullman	Volk
Cole	Gillett	Knott	Richardson	Walker
Cotillo	Goldberg	Kornobis	Robinson	Ward
Cronin	Grace	Larrimer	Rozan	Webb
Cuvillier	Greenberg A	Levy	Schaap	Weil
Daley	Greenberg M	Lewis	Schifferdecker	Willard

Deitz	Grimme	Macdonald	Schnirel	Willmott
Dennen	Gurnett	Machold	Schwarz	Wood
Denney	Hamilton	Madden	Seely J L	Yale
Donohue	Hammer	Magee	Seelye G T	Yard
Dorst	Hearn	Malone	Shepardson	Yeomans
Doty	Heyman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 712, Int. No. 686) entitled "An act to amend the Code of Civil Procedure, relating to the place of trial of actions to recover damages for injuries to real estate situated without the State," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hinman	Maloney	Silverstein
Allen	Eisner	Hopkins	McCollum	Small
Baxter	Emden	Horton	McCue	Smith J A
Benninger	Esquirol	Hover	McDaniels	Smith M
Bovie	Evans	Ingram	McElligott	Squire
Bradley	Fallon	Jackson	McGrath	Sufrin
Brereton	Farrell	Jones	McKee	Sullivan
Brewster	Finnigan	Jude	McKeon	Sutphin
Bryant	Fitzgerald	Kane	McMahon	Sweet
Burden	Fuller	Kelly J A	Monahan	Tallett
Burr	Gage	Kelly J D	Norton	Taylor F J
Bush	Gallup	Kelly P J	O'Brien	Telford
Butts	Gathright	Kenney	Oxford	Tudor
Campbell	Geoghan	Kennedy	Patrie	Ulrich
Carroll	Geyer	Kerrigan	Pemberton	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillen	Knight	Pullman	Volk
Cole	Gillett	Knott	Richardson	Walker
Cotillo	Goldberg	Kornobis	Robinson	Ward
Cronin	Grace	Larrimer	Rozan	Webb
Cuvillier	Greenberg A	Levy	Schaap	Weil
Daley	Greenberg M	Lewis	Schifferdecker	Willard
Deitz	Grimme	Macdonald	Schnirel	Willmott
Dennen	Gurnett	Machold	Schwarz	Wood
Denney	Hamilton	Madden	Seely J L	Yale
Donohue	Hammer	Magee	Seelye G T	Yard
Dorst	Hearn	Malone	Shepardson	Yeomans
Doty	Heyman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.



The bill (No. 892, Int. No. 850) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hinman	Maloney	Silverstein
Allen	Eisner	Hopkins	McCollum	Small
Baxter	Emden	Horton	McCue	Smith J A
Benninger	Esquirol	Hover	McDaniels	Smith M
Bovie	Evans	Ingram	McElligott	Squire
Bradley	Fallon	Jackson	McGrath	Sufrin
Brereton	Farrell	Jones	McKee	Sullivan
Brewster	Finnigan	Jude	McKeon	Sutphin
Bryant	Fitzgerald	Kane	McMahon	Sweet
Burden	Fuller	Kelly J A	Monahan	Tallett
Burr	Gage	Kelly J D	Norton	Taylor F J
Bush	Gallup	Kelly P J	O'Brien	Telford
Butts	Gathright	Kenney	Oxford	Tudor
Campbell	Geoghan	Kennedy	Patrie	Ulrich
Carroll	Geyer	Kerrigan	Pembleton	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillen	Knight	Pullman	Volk
Cole	Gillett	Knott	Richardson	Walker
Cotillo	Goldberg	Kornobis	Robinson	Ward
Cronin	Grace	Larrimer	Rozan	Webb
Cuvillier	Greenberg A	Levy	Schaap	Weil
Daley	Greenberg M	Lewis	Schifferdecker	Willard
Deitz	Grimme	Macdonald	Schnirel	Willmott
Dennen	Gurnett	Machold	Schwarz	Wood
Denney	Hamilton	Madden	Seely J L	Yale
Donohue	Hammer	Magee	Seelye G T	Yard
Dorst	Hearn	Malone	Shepardson	Yeomans
Doty	Heyman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 681, Int. No. 655) entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences," having been announced for a third reading,

On motion of Mr. Pembleton, and by unanimous consent, said

bill was ordered placed on the third reading calendar for Wednesday next.

The Senate returned the Assembly bill (No. 280, Senate Reprint No. 650, Int. No. 276) entitled "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind," with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 5, after word "some" insert "[ "; strike out "[ ]" enclosing "seventy-five"; strike out "one hundred".

Page 1, line 6, strike out "and fifty"; insert after "dollars," " ]".

Page 2, line 4, after word "blind" and before "not" insert "[ ]".

Page 2, line 5, strike out "[ ]" enclosing word "seventy-five"; strike out "one hundred and fifty" and insert after word "dollars" " ]".

Page 2, line 7, strike out "[ ]" enclosing word "uniform"; after word "sums" and before word "not" insert "[ "; strike out "[ " before word "any" and " ]" after word "one".

Page 2, line 8, strike out word "each", insert after word "person" " ]".

Objection being made to the immediate consideration of said message,

Ordered, That said message be referred to the committee on affairs of cities.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February* 18, 1913.

Whereas, The Congress of the United States has authorized a survey and estimate of cost for the improvement of water ways along the south side of Long island from Jamaica bay on the west to Peconic bay on the east, including the cutting of a canal through the Rockway peninsula between Jamaica bay and the Great South bay, which survey and estimate of cost is being made under the direction of Col. S. W. Roessler of the U. S. Engineer Corps and is now nearly completed; and,

Whereas, Such water way improvement would constitute practically a continuation of the canal system of this State, through the proposed canal from Flushing bay to Jamaica bay and would enable traffic from the State canals and rivers to pass to the south side of Long island and afford a safe route for navigation into Peconic bay and Long Island sound; therefore,

Resolved (if the Assembly concur), That if the engineer required to make such survey and estimate reports that the project is feasible, the Legislature of the State of New York approves of the construction of such improvement by the government of the United States, and urges the Senators and Representatives in Congress from this State to assist in procuring an appropriation to carry the project into effect.

By order of the Senate,

PATRICK E. McCABE,

*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Cole offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly one thousand additional copies of Assembly bill (No. 1147, Int. No. 1074) entitled "An act to amend the Conservation Law, in respect to water supply to provide for union water districts and conservation water works."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hinman	Maloney	Silverstein
Allen	Eisner	Hopkins	McCollum	Small
Baxter	Emden	Horton	McCue	Smith J A
Benninger	Esquirol	Hover	McDaniels	Smith M
Bovie	Evans	Ingram	McElligott	Squire
Bradley	Fallon	Jackson	McGrath	Sufrin
Brereton	Farrell	Jones	McKee	Sullivan
Brewster	Finnigan	Jude	McKeon	Sutphin
Bryant	Fitzgerald	Kane	McMahon	Sweet
Burden	Fuller	Kelly J A	Monahan	Tallett
Burr	Gage	Kelly J D	Norton	Taylor F J
Bush	Gallup	Kelly P J	O'Brien	Telford
Butts	Gathright	Kenney	Oxford	Tudor

Campbell	Geoghan	Kennedy	Patrie	Ulrich
Carroll	Geyer	Kerrigan	Pembleton	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillen	Knight	Pullman	Volk
Cole	Gillett	Knott	Richardson	Walker
Cotillo	Goldberg	Kornobis	Robinson	Ward
Cronin	Grace	Larrimer	Rozan	Webb
Cuvillier	Greenberg A	Levy	Schaap	Weil
Daley	Greenberg M	Lewis	Schifferdecker	Willard
Deitz	Grimme	Macdonald	Schnirel	Willmott
Dennen	Gurnett	Machold	Schwarz	Wood
Denney	Hamilton	Madden	Seely J L	Yale
Donohue	Hammer	Magee	Seelye G T	Yard
Dorst	Hearn	Malone	Shepardson	Yeomans
Doty	Heyman			

Mr. Larrimer offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed for the use of the Assembly five hundred additional copies of the bill (No. 1126, Int. No. 1053) entitled "An act to amend the Education Law, in relation to licensing of civil engineers and surveyors."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

AYES 137

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Hinman	Maloney	Silverstein
Allen	Eisner	Hopkins	McCollum	Small
Baxter	Emden	Horton	McCue	Smith J A
Benninger	Esquirol	Hover	McDaniels	Smith M
Bovie	Evans	Ingram	McElligott	Squire
Bradley	Fallon	Jackson	McGrath	Sufrin
Brereton	Farrell	Jones	McKee	Sullivan
Brewster	Finnigan	Jude	McKeon	Sutphin
Bryant	Fitzgerald	Kane	McMahon	Sweet
Burden	Fuller	Kelly J A	Monahan	Tallett
Burr	Gage	Kelly J D	Norton	Taylor F J
Bush	Gallup	Kelly P J	O'Brien	Telford
Butts	Gathright	Kenney	Oxford	Tudor
Campbell	Geoghan	Kennedy	Patrie	Ulrich
Carroll	Geyer	Kerrigan	Pembleton	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillen	Knight	Pullman	Volk
Cole	Gillett	Knott	Richardson	Walker
Cotillo	Goldberg	Kornobis	Robinson	Ward
Cronin	Grace	Larrimer	Rozan	Webb
Cuvillier	Greenberg A	Levy	Schaap	Weil
Daley	Greenberg M	Lewis	Schifferdecker	Willard
Deitz	Grimme	Macdonald	Schnirel	Willmott

Dennen	Gurnett	Machold	Schwarz	Wood
Denney	Hamilton	Madden	Seely J L	Yale
Donohue	Hammer	Magee	Seelye G T	Yard
Dorst	Hearn	Malone	Shepardson	Yeomans
Doty	Heyman			

The Senate returned the concurrent resolution for the construction of battleships at the Brooklyn navy yard, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the concurrent resolution in relation to the establishment of a council of national defense, with a message that they have concurred in the passage of the same without amendment.

The Senate returned the bill (No. 135, Int. No. 133) entitled "An act to amend the Second Class Cities Law, in relation to the creation of funded indebtedness."

Also, the bill (No. 249, Int. No. 126) entitled "An act to amend the County Law, in relation to county hospitals for tuberculosis."

Also, the bill (No. 362, Int. No. 358) entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters."

Also, the bill (No. 704, Int. No. 678) entitled "An act to extend the time for making the final report of the commissioners designated to consolidate, codify and revise the laws, relating to the estates of deceased persons and the procedure and practice in surrogates' courts," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 444, Int. No. 439) entitled "An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity, and providing for the improvement thereof," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 607, Int. No. 350) entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue bonds of the city therefor," with a message that

they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Hudson.

Privileges of the floor were extended to Hon. Clarence MacGregor, of Erie; Hon. John L. O'Brien, of Erie; Hon. J. Driscoll, of Onondaga; Hon. Chas. Brown, of Cortland, and Hon. Chas. F. Butler, of Broome.

On motion of Mr. Levy, the House adjourned.

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### THURSDAY, FEBRUARY 20, 1913.

The House met pursuant to adjournment.

Prayer by Rev. John J. Morehead.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the resolutions and protest of the Congress Club of the Fourth Assembly District of the County of Kings, in relation to the proposed widening of Roebling and Taylor streets, which was referred to the committee on affairs of cities.

Mr. Speaker presented the Twenty-Eighth Annual Report of the Northern New York Institution for Deafmutes, which was laid upon the table and ordered printed.

(See Assembly Document No. 37.)

The Senate sent for concurrence the following entitled bill:

"An act to amend chapter seven hundred and fifty-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise and consolidate the several acts in relation to the city of Hudson; to revise the charter of said city; and to establish a city court therein and define its jurisdiction and powers,' in relation to the terms of and the time and manner of the election of the elective officers in said city." (No. 864, Int. No. 71), which was read the first time.

On motion of Mr. Hover, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hover, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCollum	Shepardson
A len	Edwards	Horton	McDaniels	Silverstein
Baxter	Eisner	Hover	McElligott	Small
Benninger	Emden	Ingram	McGrath	Smith J A
Bovie	Esquirol	Jackson	McKee	Smith M
Bradley	Evans	Jones	McKeon	Squire
Brereton	Fallon	Jude	McMahon	Sufrin
Prewster	Finnigan	Kane	Monahan	Sutphin
Bryant	Fitzgerald	Kelly J A	Norton	Sweet
Burden	Fuller	Kelly J D	O'Brien	Tallett
Burr	Gage	Kelly P J	O'Connor	Taylor T D
Bush	Gallup	Kenney	Oxford	Telford
Butts	Gathright	Kerrigan	Patrie	Tudor
Carroll	Geoghan	Kiernan	Pembleton	Ulrich
Carver	Geyer	Knight	Phillips	Van Woert
Caughlan	Gibbs	Knott	Pullman	Vert
Cole	Gillen	Larrimer	Richardson	Volk
Cronin	Gillett	Levy	Robinson	Walker
Cuvillier	Goldberg	Lewis	Rozan	Ward
Daley	Grace	Macdonald	Schaap	Webb
Deits	Grimme	Madden	Schifferdecker	Weil
Dennen	Gurnett	Magee	Schwarz	Wood
Denney	Hamilton	Malone	Seaker	Yale
Donohue	Hammer	Maloney	Seely J L	Yard
Doty	Hinman	McCue	Seelye G T	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Carroll introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to reopening trials for the introduction of new evidence" (Int. No. 1183), which was read the first time and referred to the committee on codes.

Mr. Caughlan introduced a bill entitled "An act to amend the

Code of Civil Procedure, in relation to conferring power on the justices of the city court of the city of New York to fix and regulate the compensation of the officers and employees of such court" (Int. No. 1184), which was read the first time and referred to the committee on codes.

Also, "An act authorizing the justices of the city court of the city of New York to retire employees thereof for incapacity and providing for their compensation upon such retirement" (Int. No. 1185), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Judiciary Law, in relation to justices of the city court of the city of New York acting as official referees after retirement or resignation as justices" (Int. No. 1186), which was read the first time and referred to the committee on the judiciary.

Mr. Carver introduced a bill entitled "An act to amend the Tax Law, in relation to refunds of taxes on transfers of stock" (Int. No. 1187), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Daley introduced a bill entitled "An act to amend the Tax Law, in relation to taxable transfers" (Int. No. 1188), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Fitzgerald introduced a bill entitled "An act to amend the Education Law, in relation to free text-books" (Int. No. 1189), which was read the first time and referred to the committee on public education.

Mr. Fallon introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to including the counties of Nassau and Suffolk within the first district, increasing the number of commissioners of the first district and to provide for the payment of salaries and expenses of the commission necessary in the performance of its duties within and for such counties" (Int. No. 1190), which was read the first time and referred to the committee on railroads.

Mr. Gathright introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to search for, seizure and forfeiture of



liquors kept for unlawful traffic" (Int. No. 1191), which was read the first time and referred to the committee on excise.

Mr. Grimme introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the effect of recital of heirship in deeds" (Int. No. 1192), which was read the first time and referred to the committee on codes.

Mr. Gathright introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to applications for liquor tax certificates and the right to traffic at premises for which a certificate has been canceled or revoked" (Int. No. 1193), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Liquor Tax Law, in relation to the revocation and cancellation of a liquor tax certificate" (Int. No. 1194), which was read the first time and referred to the committee on excise.

Mr. Hearn introduced a bill entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the alleged claim of Charles L. Schutrum, against the State of New York, for damages alleged to have been sustained by him on the State river road in the town of Tonawanda, New York, on or about July fifteenth, nineteen hundred and twelve" (Int. No. 1195), which was read the first time and referred to the committee on claims.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Tax Law, in relation to proceedings to review special franchise tax assessments" (Int. No. 1196), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Lane introduced a bill entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to article seven of the Constitution, relative to the maintenance of highways constructed wholly or partly at the expense of the State" (Int. No. 1197), which was read the first time and referred to the committee on the judiciary.

Mr. Levy introduced a bill entitled "An act to promote the public health by amending the Labor Law, in relation to labor of more than six days in any one week" (Int. No. 1198), which was read the first time and referred to the committee on labor and industries.

Also, "An act in relation to the production and sale of milk and dairy products for public consumption, constituting chapter thirty-six-a of the Consolidated Laws" (Int. No. 1199), which was read the first time and referred to the committee on ways and means.

Mr. Lewis introduced a bill entitled "An act to amend chapter six hundred and fifty-nine of the Laws of nineteen hundred and ten, known as the 'Inferior Criminal Courts Act of the city of New York,' in relation to the commitment of persons convicted of public intoxication, disorderly conduct or vagrancy" (Int. No. 1200), which was read the first time and referred to the committee on codes.

Mr. Madden introduced a bill entitled "An act to amend section thirty-three hundred and seventy-two of title one of chapter twenty-three of the Code of Civil Procedure, relative to the allowance of expenses and disbursements" (Int. No. 1201), which was read the first time and referred to the committee on codes.

Also, "An act to amend section one hundred and fifty-two of chapter thirty of the Laws of nineteen hundred and nine, entitled 'An act relating to highways,' and constituting chapter twenty-five of the Consolidated Laws, relative to the allowance of expenses and disbursements" (Int. No. 1202), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend section one hundred and fifty-four of chapter thirty of the Laws of nineteen hundred and nine, entitled 'An act relating to highways,' and constituting chapter twenty-five of the Consolidated Laws" (Int. No. 1203), which was read the first time and referred to the committee on internal affairs.

Mr. McKee introduced a bill entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements confirmed after the first day of January, nineteen hundred and eight" (Int. No. 1204), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to assessments for local improvements" (Int. No. 1205), which was read the first time and referred to the committee on affairs of cities.

Mr. McKeon introduced a bill entitled "An act to amend the

Public Health Law, in relation to control and regulation of autopsies" (Int. No. 1206), which was read the first time and referred to the committee on public health.

Mr. McMahon introduced a bill entitled "An act to amend the Tax Law, in relation to the taxation of dwellings" (Int. No. 1207), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. McCollum introduced a bill entitled "An act to amend the County Law, in relation to compensation of supervisors in Niagara county" (Int. No. 1208), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the County Law, in relation to the printing and distribution of the proceedings of the board of supervisors in certain counties" (Int. No. 1209), which was read the first time and referred to the committee on internal affairs.

Mr. Richardson introduced a bill entitled "An act to amend the Banking Law, in relation to cumulative voting of stockholders at elections of bank directors" (Int. No. 1210), which was read the first time and referred to the committee on banks.

Mr. Sweet introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to costs in justice's court" (Int. No. 1211), which was read the first time and referred to the committee on codes.

Mr. Schwarz introduced a bill entitled "An act to amend chapter two hundred and sixty-one of the Laws of nineteen hundred and two, entitled 'An act to authorize the county of Albany to provide for the temporary detention of juvenile delinquents with the Mohawk and Hudson River Humane Society and make compensation therefor,' by authorizing said society to receive and detain in its houses of detention minors after arrest, before trial, and pending their reception into some other institution" (Int. No. 1212), which was read the first time and referred to the committee on the judiciary.

Mr. F. J. Taylor introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the city of New York, in relation to the commitment of persons convicted of public intoxica-

tion, disorderly conduct or vagrancy ” (Int. No. 1213), which was read the first time and referred to the committee on codes.

Mr. Vert introduced a bill entitled “ Concurrent resolution of the Senate and Assembly, proposing an amendment to section seven of article seven of the Constitution, in relation to the forest preserve ” (Int. No. 1214), which was read the first time and referred to the committee on the judiciary.

Mr. Ward introduced a bill entitled “ An act to amend the Penal Law, in relation to punishment of persons for second or fourth offenses ” (Int. No. 1215), which was read the first time and referred to the committee on codes.

Mr. Bush introduced a bill entitled “ An act to reappropriate certain unexpended balances of former appropriations ” (Int. No. 1216), which was read the first time and referred to the committee on ways and means.

Mr. Madden introduced a bill entitled “ An act to amend the Banking Law, in relation to borrowing money, purchasing real property and taking purchase money mortgages by savings and loan associations, having assets, one-half or more of which consist of real property ” (Int. No. 1217), which was read the first time and referred to the committee on banks.

Mr. Benninger introduced a bill entitled “ An act to amend the General Corporation Law, in relation to the prohibition of banking powers ” (Int. No. 1218), which was read the first time and referred to the committee on the judiciary.

Also, “ An act to amend the Judiciary Law, in relation to sheriff’s jury in Queens county ” (Int. No. 1219), which was read the first time and referred to the committee on the judiciary.

Mr. Yale introduced a bill entitled “ An act to declare the effect of the appearance by the Attorney-General in a proceeding in the surrogate’s court of the county of Putnam for the disposition of the real property of Caroline Palmer, deceased, for the payment of debts and funeral expenses ” (Int. No. 1220), which was read the first time and referred to the committee on codes.

Mr. Patrie introduced a bill entitled “ An act to legalize, ratify and confirm the issuing of bonds of the town of Hunter, in the county of Greene, authorized by the board of supervisors of said county, for the purpose of reconstructing and improving certain

highways within said town, and to provide for the payment of the principal and interest thereof " (Int. No. 1221), which was read the first time and referred to the committee on the judiciary.

Mr. Carver introduced a bill entitled "An act to amend chapter seven hundred and thirty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to authorize the board of assessors of the city of New York to estimate and allow the damages sustained by owners of real property fronting upon streets approaching the Manhattan bridge over the East river in said city,' in relation to the time within which to file claims " (Int. No. 1222), which was read the first time and referred to the committee on affairs of cities.

Mr. G. T. Seelye introduced a bill entitled "An act to amend chapter one hundred and six of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville, and to repeal certain acts,' in relation to the compensation of president and trustees " (Int. No. 1223), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend chapter one hundred and six of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville, and to repeal certain acts,' in relation to village funds and obligations " (Int. No. 1224), which was read the first time and referred to the committee on affairs of villages.

Mr. Caughlan introduced a bill entitled "An act to amend the Insurance Law, by providing that policies of title insurance shall be, and by their terms be made, assignable " (Int. No. 1225), which was read the first time and referred to the committee on insurance.

Mr. Fitzgerald introduced a bill entitled "An act to authorize the cleaning out of channels of Black creek, Berman creek and Got creek in the towns of Clarence and Amherst, in the county of Erie, and making an appropriation therefor " (Int. No. 1226), which was read the first time and referred to the committee on ways and means.

Mr. Robinson introduced a bill entitled "An act to amend the Tax Law, in relation to equalization by boards of supervisors "

(Int. No. 1227), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to the issuance of a new certificate on the setting aside of a tax sale" (Int. No. 1228), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Kane introduced a bill entitled "An act to amend the Lien Law, generally" (Int. No. 1229), which was read the first time and referred to the committee on the judiciary.

Mr. Kenney introduced a bill entitled "An act to provide for the purchase of a certain lot of land situate in the city of Kingston, county of Ulster, New York, lying on the northwesterly side of Hoffman street and adjoining the armory property, and making an appropriation therefor" (Int. No. 1230), which was read the first time and referred to the committee on ways and means.

Mr. Kennedy introduced a bill entitled "An act providing for laying out, opening and extending of Queens avenue, in the borough of Queens, in the city of New York, through the land of Flushing cemetery, in said borough" (Int. No. 1231), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for the laying out, opening and extending of Laurel Hill boulevard, Borden avenue and Betts avenue in the borough of Queens, in the city of New York, through the land of Calvary and New Calvary cemeteries, in said borough" (Int. No. 1232), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for laying out, opening and extending of Newtown avenue and Betts avenue, in the borough of Queens, in the city of New York, through the land of Mount Zion cemetery, in said borough" (Int. No. 1233), which was read the first time and referred to the committee on affairs of cities.

Mr. Benninger introduced a bill entitled "An act providing for the laying out, opening and extending of Starr street and Metropolitan avenue, in the borough of Queens, in the city of New York, through the land of Ahawath Chesed cemetery, in said borough" (Int. No. 1234), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for laying out, opening and extending of Fresh Pond road, in the borough of Queens, in the city of New York, through the lands of Cypress Hills, Mount Neboh, New Union Field, Machpelah and B'Nai Jeshurum cemeteries, in said borough" (Int. No. 1235), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for laying out, opening and extending of Suburban street, Epsilon place and Fresh Pond road, in the borough of Queens, in the city of New York, through the land of Mount Carmel cemetery, in said borough" (Int. No. 1236), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for laying out, opening and extending of Vermont avenue, in the borough of Queens, in the city of New York, through the land of the cemetery of the Evergreens, in said borough" (Int. No. 1237), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for laying out, opening and extending of Weisse avenue, Metropolitan avenue, Central avenue and Woodhaven avenue, in the borough of Queens, in the city of New York, through the land of St. John's cemetery, in said borough" (Int. No. 1238), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for laying out, opening and extending of Pitkin avenue, in the borough of Queens in the city of New York, through the land of Bayside cemetery, in said borough" (Int. No. 1239), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for laying out, opening and extending of Eliot avenue, in the borough of Queens, in the city of New York, through the land of Mount Olive cemetery, in said borough" (Int. No. 1240), which was read the first time and referred to the committee on affairs of cities.

Also, "An act providing for laying out, opening and extending of Barrett street, Keystone street and Queens boulevard in the borough of Queens, in the city of New York, through the land of Maple Grove cemetery, in said borough" (Int. No. 1241),



which was read the first time and referred to the committee on affairs of cities.

Mr. Burden introduced a bill entitled "An act providing for laying out, opening and extending of Astoria avenue, Wilson avenue and Petry place, in the borough of Queens, in the city of New York, through the land of St. Michael's cemetery in said borough" (Int. No. 1242), which was read the first time and referred to the committee on affairs of cities.

Mr. Benninger introduced a bill entitled "An act providing for laying out, opening and extending of Eliot avenue, Wayland avenue, Metropolitan avenue and Mount Olivet avenue, in the borough of Queens, in the city of New York, through the land of Lutheran cemetery in said borough" (Int. No. 1243), which was read the first time and referred to the committee on affairs of cities.

Mr. Bush, from the committee on ways and means, to which was referred the resolution relative to the appointment of a joint legislative committee to investigate and ascertain what real and personal property is owned by the Bloomingdale Hospital and Society of New York Hospital of White Plains, N. Y., reported in favor of the adoption of the following resolution:

Whereas, The board of trustees of the village of White Plains, N. Y., at a regularly called meeting held Tuesday evening, January 14, 1913, adopted a resolution requesting that the Governor and both branches of the Legislature of the State of New York be petitioned to ascertain by a legislative commission what real and personal property is owned by the Bloomingdale Hospital and Society of New York Hospital of White Plains, N. Y., also the number of patients treated per annum, the charge per week for treatment and board of each patient and what the annual income is of said Bloomingdale Hospital and Society of New York Hospital; therefore be it

Resolved (if the Senate concur), That a joint legislative committee be hereby created, consisting of two Senators to be designated by the President of the Senate and three members of the Assembly to be designated by the Speaker of the Assembly, to investigate and ascertain what real and personal property is owned by the Bloomingdale Hospital and Society of New York Hospital of White Plains, N. Y., also the number of patients treated per annum, the charge per week for treatment and board



of each patient, and what the annual income is of said Bloomingdale Hospital and Society of New York Hospital. The commission shall also make a report on the liability of taxation and assessment on the above mentioned Bloomingdale Hospital and Society of New York Hospital. The commission shall have power to elect its chairman and vice-chairman, to compel the attendance of witnesses and the production of books and papers; to employ a secretary, stenographer and necessary clerical assistance; and shall otherwise have all the powers of a legislative committee as provided by the Legislative Law, including the adoption of rules for the conduct of its proceeding. Said committee shall make a report to the Legislature on or before the 1st day of February, 1914, expressing the opinion of the commission in respect to such legislation as shall be deemed necessary to cover any evasion of taxation or assessment of the said Bloomingdale Hospital and Society of New York Hospital of White Plains, N. Y.

Resolved (if the Senate concur), That the actual necessary expenses of the committee in carrying out the provisions of this resolution, not to exceed the sum of five thousand (\$5,000) dollars, be paid from the funds appropriated for the contingent expenses of the Legislature, upon the certificate of the chairman and vice-chairman of the committee.

Debate was had thereon.

On motion of Mr. Madden, and by unanimous consent, consideration of said resolution was postponed until Monday, February 24th.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Bush (No. 924, Int. No. 881), entitled "An act to provide for existing deficit in funds available for support of the military establishment of the State and making an appropriation therefor."

Also, Assembly bill introduced by Mr. O'Brien (No. 138, Int. No. 136), entitled "An act to release the interest of the State of New York in the property and estate of Margaret E. Tompkins, deceased, to the heirs and next of kin of Noah D. Tompkins, deceased."

Also, Assembly bill introduced by Mr. Seaker (No. 1051, Int. No. 999), entitled "An act in relation to the erection of a monument to commemorate the services of Brevet-Major-General Newton Martin Curtis, and reappropriating certain money therefor."

Also, Assembly bill introduced by Mr. Robinson (No. 815, Int.

No. 782), entitled "An act to provide for a public park at Lake Ronkonkoma in Suffolk county, New York, for the perpetual enjoyment of the people of the State and to preserve it in its natural condition of scenic beauty."

Also, Assembly bill introduced by Mr. Geoghan (No. 176, Int. No. 172), entitled "An act to provide for the deepening of the channel of Ellicott creek from the Erie canal to the city line of the city of Tonawanda, and for the repair of the bridges crossing the same, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Bush (No. 734, Int. No. 706), entitled "An act making an appropriation in accordance with chapter two hundred and twenty-seven of the Laws of nineteen hundred and twelve, to provide for the celebration of the fiftieth anniversary of the battle of Gettysburg," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 141, Int. No. 139) introduced by Mr. Pullman, entitled "An act to amend chapter one hundred and thirty-two of the Laws of nineteen hundred and eleven, entitled 'An act to provide for certain improvements in the channel and banks of the Mohawk river and West Canada creek, made necessary by the building of the barge canal, and making an appropriation therefor,'" reported in favor of the passage of the same, with the following amendments:

Page 2, line 1, strike out the word "seventy-five", and insert in place thereof the word "sixty".

Page 2, line 2, strike out the figures "75,000" and insert in place thereof "60,000".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. McGrath (No. 200, Int. No. 197), entitled "An act to amend the Code of Civil Procedure, in relation to undertakings."

Also, Assembly bill introduced by Mr. McGrath (No. 1001,

Int. No. 955), entitled "An act to amend the Code of Civil Procedure, in relation to the removal of causes."

Also, Assembly bill introduced by Mr. McGrath (No. 995, Int. No. 949), entitled "An act to amend the Code of Civil Procedure, in relation to the vacation of judgments and the removal of causes."

Also, Assembly bill introduced by Mr. Levy (No. 743, Int. No. 715), entitled "An act to authorize appeals in certain proceedings brought by the city of New York for acquiring property in the borough of Manhattan, city of New York, for bridge purposes."

Also, Assembly bill introduced by Mr. Weil (No. 284, Int. No. 280), entitled "An act to amend the Code of Civil Procedure, in relation to the powers of the surrogate respecting the construction or effect of dispositions of property by will."

Also, Assembly bill introduced by Mr. McElligott (No. 348, Int. No. 344), entitled "An act to amend the Code of Civil Procedure, in relation to the filing of all papers in each action or proceeding in the same file, or bundle, and relative to the record on appeals to the Court of Appeals."

Also, Assembly bill introduced by Mr. Cotillo (No. 400, Int. No. 397), entitled "An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served."

Also, Assembly bill introduced by Mr. Knight (No. 742, Int. No. 714), entitled "An act to amend the Penal Law, in relation to trade marks."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 899, Int. No. 857), entitled "An act to amend the Code of Civil Procedure, in relation to preference in applications for letters of administration."

Also, Assembly bill introduced by Mr. Knight (No. 929, Int. No. 886), entitled "An act to amend the Code of Civil Procedure, in relation to costs of an executor on a contest."

Also, Assembly bill introduced by Mr. Geyer (No. 173, Int. No. 169), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and

jurisdiction and providing for its officers,' in relation to the compensation and lien of attorneys and counsellors in said court," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 402, Int. No. 400) introduced by Mr. Benninger, entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jury trials in the borough of Queens and Richmond," reported in favor of the passage of the same, with the following amendments:

On page 2, line 7, after the word "thereof", insert ". not inconsistent with the foregoing provisions of this section."

On page 2, line 12, strike out "immediately" and insert "September 1, 1913."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Grace (No. 1040, Int. No. 988), entitled "An act to amend the General Business Law, in relation to pressing and marketing hay and straw."

Also, Assembly bill introduced by Mr. McGrath (No. 646, Int. No. 626), entitled "An act to amend the Real Property Law, in relation to creation and division of estates."

Also, Assembly bill introduced by Mr. Benninger (No. 640, Int. No. 620), entitled "An act to amend the Membership Corporations Law, in relation to cemetery corporations," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Gurnett, from the committee on conservation, to which was referred Assembly bill introduced by Mr. Brereton (No. 639, Int. No. 619), entitled "An act to amend the Conservation Law, in relation to fishing through the ice in Lake George."

Also, Assembly bill introduced by Mr. Wood (No. 820, Int. No. 787), entitled "An act to amend the Conservation Law, in relation to the open season for wild deer, and number to be taken."

Also, Assembly bill introduced by Mr. Vert (No. 884, Int. No. 842), entitled "An act to amend the Conservation Law, in relation to the sale of trout raised in private hatcheries."

Also, Assembly bill introduced by Mr. Maloney (No. 115, Int. No. 115), entitled "An act to repeal section three hundred and thirty-two of the Conservation Law, in relation to nets in Far Rockaway bay, Jones' inlet or adjacent waters."

Also, Assembly bill introduced by Mr. McKee (No. 84, Int. No. 84), entitled "An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Gurnett, from the committee on conservation, to which was referred Assembly bill (No. 117, Int. No. 117) introduced by Mr. Fallon, entitled "An act to amend the Conservation Law, in relation to the open season for water fowl on Long Island," reported in favor of the passage of the same, with the following amendments:

Page 1, line 10, strike out word "first" and insert "tenth".

Page 2, line 1, strike out words "March thirty-first" and insert "February tenth".

Page 2, line 2, strike out word "first" and insert "tenth"; also "April tenth" and insert "February twentieth".

Page 2, line 6, strike out "Except from" and on line 7 strike out "October first to October nineteenth, both inclusive".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Butts, from the committee on the affairs of villages, to which was referred Assembly bill introduced by Mr. Bovie (No. 829, Int. No. 796), entitled "An act to amend the Village Law, in relation to the compensation of collectors."

Also, Assembly bill introduced by Mr. O'Brien (No. 1042, Int. No. 990), entitled "An act to authorize the macadamizing or paving of streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor, and in connection therewith, in the village of White Plains, New York,

Westchester county, and to provide the manner and means of paying therefor."

Also, Assembly bill introduced by Mr. Butts (No. 1035, Int. No. 983), entitled "An act to amend the Town Law, in relation to certain town expenses and liabilities and providing funds for paying the same."

Also, Assembly bill introduced by Mr. Bovie (No. 840, Int. No. 798), entitled "An act to amend the Village Law, in relation to street improvement."

Also, Assembly bill introduced by Mr. Bovie (No. 841, Int. No. 799), entitled "An act to amend the Village Law, in relation to notice of completion of annual assessment-roll."

Also, Assembly bill introduced by Mr. Yard (No. 1010, Int. No. 964), entitled "An act to amend chapter six hundred and sixty-seven of the Laws of nineteen hundred and ten, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining,' in relation to sewer assessment bonds," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Cole, from the committee on agriculture, to which was referred Assembly bill introduced by Mr. Cole (No. 955, Int. No. 911), entitled "An act to amend the Agricultural Law, in relation to concentrated commercial feeding stuffs."

Also, Assembly bill introduced by Mr. Cole (No. 954, Int. No. 910), entitled "An act to amend the Agricultural Law, in relation to commercial fertilizer," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McCue, from the committee on railroads, to which was referred Assembly bill introduced by Mr. Ingram (No. 124, Int. No. 124), entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan crossing in Kings county," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Gillen, from the committee on electricity, gas and water supply, to which was referred Assembly bill introduced by Mr.

Larrimer (No. 133, Int. No. 131), entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McKee, from the committee on public education, to which was referred Assembly bill introduced by Mr. Allen (No. 580, Int. No. 566), entitled "An act to amend the Education Law, in relation to the construction and operation of water-works and sewer systems by incorporated colleges."

Also, Assembly bill introduced by Mr. McKee (No. 1134, Int. No. 1061), entitled "An act to amend the Education Law, relative to the powers of voters of school districts, and extending the use of school buildings."

Also, Assembly bill introduced by Mr. McKee (No. 1135, Int. No. 1062), entitled "An act to amend the Education Law, relative to the consolidation of districts by a vote of a district meeting," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Jackson, from the committee on excise, to which was re-committed Assembly bill introduced by Mr. McCue (No. 1031, Int. No. 602), entitled "An act to amend the Liquor Tax Law, in relation to the issuance of certificates under the provision of subdivision two of section eight, limitation of such certificate and transfer thereof under abandonment notices," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Jackson, from the committee on excise, to which was referred Assembly bill introduced by Mr. Walker (No. 636, Int. No. 616), entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:



"An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county." (No. 1119, Int. No. 190.)

"An act to authorize the city of Troy to borrow moneys and to issue bonds therefor, for the water works department of said city, and to provide for the payment of said bonds." (No. 1032, Int. No. 561.)

"An act to amend the Second Class Cities Law, in relation to contracts for paving." (No. 1033, Int. No. 562.)

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals." (No. 1104, Int. No. 264.)

"An act to amend the Code of Criminal Procedure, in relation to compensation of attorneys in certain cases." (No. 1108, Int. No. 455.)

"An act to amend the Greater New York charter, in relation to plans for water fronts." (No. 1116, Int. No. 593.)

"An act to amend the Code of Civil Procedure, in relation to notices of pendency of action." (No. 172, Int. No. 173.)

"An act making an appropriation for surveys, field notes and manuscript maps affecting various canals and canal lands." (No. 1106, Int. No. 249.)

"An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to exempted parts of the borough of Brooklyn, city of New York." (No. 1071, Rec. No. 4.)

"An act to amend the Code of Criminal Procedure, in relation to remission of fine." (No. 1103, Int. No. 66.)

"An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water, and remitting assessments therefor,' in relation to exempting real estate owned or leased by a religious society and devoted to social settlement work." (No. 1163, Int. No. 648.)



“An act to amend the Greater New York charter, in relation to the board of city record.” (No. 1128, Int. No. 764.)

“An act to amend section one hundred and fifty-eight of chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled ‘An act to incorporate the city of Mount Vernon,’ in relation to the annual meeting of the common council.” (No. 1121, Int. No. 863.)

“An act to amend chapter seventy-five of the Laws of nineteen hundred and ten, entitled ‘An act authorizing and empowering the city of Mount Vernon to acquire lands for a site and to improve the same, or a site already possessed, and to erect a municipal building or buildings thereon, and to issue bonds for the purpose of purchasing or otherwise acquiring, improving and erecting the same,’ in relation to the amount of such bonds.” (No. 1120, Int. No. 865.)

“An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled ‘An act to revise the charter of the city of Utica,’ relative to local improvements.” (No. 1118, Int. No. 308.)

“An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester.” (No. 1230, Int. No. 63.)

“An act to amend chapter four hundred and fifty-four of the Laws of nineteen hundred and eight, entitled ‘An act to incorporate the city of Oneonta,’ generally.” (No. 1164, Int. No. 251.)

Mr. Schaap offered for the consideration of the House a resolution, in the words following:

Resolved. That the committee on affairs of cities be discharged from the further consideration of the bill (No. 698, Int. No. 672) entitled “An act to amend the Greater New York charter, by providing for a difference in the rate of taxation on the value of land wholly unimproved, and the rate on the difference between the value of the land with its improvements and the value of the land wholly unimproved.”

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Schaap moved to amend as follows:

On page 3, line 9, strike out the words "Pollock-Schaap bill," and insert in lieu thereof "Salant-Schaap bill,".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Schaap, said bill was ordered reprinted and recommitted to said committee.

Mr. Benninger offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on electricity, gas and water supply be discharged from the further consideration of the bill (No. 397, Int. No. 394) entitled "An act to amend chapter one hundred and twenty-five of the Laws of nineteen hundred and six, entitled 'An act in relation to illuminating gas in the city of New York, and regulating the quality and pressure thereof and the price to consumers other than said city and providing a penalty for violation,' in relation to the price of illuminating gas in the borough of Queens."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Benninger moved to amend as follows:

Page 2, line 17, after the semi-colon insert in italics "in the fifth ward of the borough of Queens, one dollar;".

Page 3, strike out lines 1 to 8, inclusive, and on line 9 strike out the brackets and the numeral "5".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Benninger, said bill was ordered reprinted and recommitted to said committee.

The bill (No. 895, Int. No. 853) entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1107, Int. No. 110) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hun-

dred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally," having been announced for a second reading,

On motion of Mr. Grimme, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 663, Int. No. 637) entitled "An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government of the territory so annexed," was read the second time.

On motion of Mr. Allen, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 718, Int. No. 690) entitled "An act to amend chapter one hundred and eighty-five of the Laws of eighteen hundred and forty-six, entitled 'An act authorizing the election of trustees of public lands of the town of Eastchester, and defining their duties,' in relation to the election and powers of such trustees," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 933, Int. No. 890) entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed," was read the second time.

On motion of Mr. Campbell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 473, Int. No. 468) entitled "An act to amend the Greater New York charter, in relation to the municipal explosives commission and to the powers, duties and regulations thereof," was read the second time.

On motion of Mr. Carver, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 912, Int. No. 869) entitled "An act to amend the Judiciary Law, in relation to the settlement or adjustment of certain actions in which an attorney shall have appeared," was read the second time.

On motion of Mr. Dietz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1063, Int. No. 1011) entitled "An act to amend chapter six hundred and seventy-six of the Laws of nineteen hundred and seven, entitled 'An act to authorize the extension of Riverside park, in the city of New York, by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York,' generally," was read the second time.

On motion of Mr. Denney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1039, Int. No. 987) entitled "An act providing for the relief of William Shanley," was read the second time.

On motion of Mr. Esquirol, said bill was placed on the order of third reading.

On motion of Mr. Esquirol, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McDaniels	Silverstein
Allen	Eisner	Hover	McElligott	Small
Baxter	Emden	Ingram	McGrath	Smith J A
Benninger	Esquirol	Jackson	McKee	Smith M
Bovie	Evans	Jones	McKeon	Squire
Bradley	Fallon	Jude	McMahon	Sufrin
Brereton	Finnigan	Kane	Monahan	Sutphin
Brewster	Fitzgerald	Kelly J A	Norton	Sweet
Bryant	Fuller	Kelly J D	O'Brien	Tallett
Burden	Gage	Kelly P J	O'Connor	Taylor T D
Burr	Gallup	Kenney	Oxford	Telford
Bush	Gathright	Kerrigan	Patrie	Tudor
Butts	Geoghan	Kiernan	Pembleton	Ulrich
Carroll	Geyer	Knight	Phillips	Van Woert
Carver	Gibbs	Knott	Pullman	Vert

Caughlan	Gillen	Larrimer	Richardson	Volk
Cole	Gillett	Levy	Robinson	Walker
Cronin	Goldberg	Lewis	Rozan	Ward
Cuvillier	Grace	Macdonald	Schaap	Webb
Daley	Grimme	Madden	Schifferdecker	Weil
Deits	Gurnett	Magee	Schwarz	Wood
Dennen	Hamilton	Malone	Seaker	Yale
Denney	Hammer	Maloney	Seely J L	Yard
Donohue	Hinman	McCollum	Seelye G T	Yeomans
Doty	Hopkins	McCue	Shepardson	

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 223, Int. No. 220) entitled "An act transferring from the common council of the city of Buffalo to the board of park commissioners of said city jurisdiction and control over Kenilworth avenue in said city and providing for the improvement of said avenue," was read the second time.

On motion of Mr. Geoghan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 379, Int. No. 375) entitled "An act to legalize the acts and proceedings of the board of supervisors of the county of Schuyler, in relation to changing the time for holding town meetings in such county," was read the second time.

On motion of Mr. Gurnett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1076, Int. No. 1021) entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 397, Rec. No. 7) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading.

The bill (No. 381, Int. No. 377) entitled "An act to amend the Second Class Cities Law, relative to designation of official papers," having been announced for a second reading,

On motion of Mr. Kerrigan, and by unanimous consent, said

bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 403, Int. No. 401) entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,' in relation to pensions for certain retired employees of such city," was read the second time.

On motion of Mr. Madden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 120, Int. No. 120) entitled "An act to establish a firemen's pension fund and insurance fund in the city of Albany, and repealing certain acts in relation thereto, known as chapter one hundred and seventy-three of the Laws of eighteen hundred and eighty-three, chapter three hundred and thirty-two of the Laws of eighteen hundred and eighty-five and chapter four hundred and eleven of the Laws of eighteen hundred and eighty-six," was read the second time.

On motion of Mr. Malone, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 555, Int. No. 541) entitled "An act to amend the Town Law, in relation to the meetings of town auditors," having been announced,

Mr. Maloney moved to amend as follows:

Page 1, line 5, strike out "and", last occurring, and insert a comma.

Line 6, strike out the comma after the word "twelve" and insert "and chapter seventeen of the Laws of nineteen hundred and thirteen."

Page 2, line 13, after word "services" insert in italics "such compensation as shall be fixed by the town board of such town, and not less than"; after word "three" insert in italics "nor more than five".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 872, Int. No. 830) entitled "An act to amend

chapter one hundred and thirty-four of the Laws of eighteen hundred and ninety-one, entitled 'An act to incorporate the Church Insurance Association,' generally," was read the second time.

On motion of Mr. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 631, Int. No. 611) entitled "An act to amend the Town Law, in relation to the qualification of voters," was read the second time.

On motion of Mr. Robinson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1090, Int. No. 1035) entitled "An act to amend the County Law, in relation to special deputy clerks in certain counties," was read the second time.

On motion of Mr. Rozan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 650, Int. No. 630) entitled "An act to amend the Highway Law, by adding a new section, to be known as section one hundred and forty-two-a, in relation to the cost of improvement of such highways between the rails and tracks and outside thereof of street surface railroads in villages and in cities of the second and third classes," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 750, Int. No. 722) entitled "An act restricting the filing and effect of certain maps of land in and near the city of Syracuse, unless such maps are approved by the city engineer of the city of Syracuse," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 755, Int. No. 727) entitled "An act in relation to the acceptance by dedication of streets, highways and alleys in the city of Syracuse," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 971, Int. No. 927) entitled "An act to amend the County Law, in relation to the powers and duties of assistants to clerks in certain counties," was read the second time.

On motion of Mr. Small, said bill was placed on the order of third reading and referred to the committee on revision.



The bill (No. 560, Int. No. 546) entitled "An act authorizing the town board of the town of Mooers, Clinton county, to convey lands for cemetery purposes," was read the second time.

On motion of Mr. Vert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 462, Int. No. 457) entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica.' generally, and abolishing the office of ward collector," was read the second time.

On motion of Mr. Emden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1095, Int. No. 1040) entitled "An act to amend chapter seven hundred and fifty-one of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise and consolidate the several acts in relation to the city of Hudson, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,' in relation to the terms of and the time and manner of the election of the elective officers in said city," having been announced for a second reading.

On motion of Mr. Hover, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 901, Int. No. 214) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades.' generally," having been announced for a third reading.

On motion of Mr. J. D. Kelly, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 306, Int. No. 302) entitled "An act to establish a commission on sites, grounds and buildings," having been announced for a third reading,

On motion of Mr. Willmott said bill was recommitted to the committee on charitable and religious societies, retaining its place on the order of third reading.



The bill (No. 1117, Int. No. 289) entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against members of the police force and fire department of the city of New York," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McDaniels	Silverstein
Allen	Eisner	Hover	McElligott	Small
Baxter	Emden	Ingram	McGrath	Smith J A
Benninger	Esquirol	Jackson	McKee	Smith M
Bovie	Evans	Jones	McKeon	Squire
Bradley	Fallon	Jude	McMahon	Sufrin
Brereton	Finnigan	Kane	Monahan	Sutphin
Brewster	Fitzgerald	Kelly J A	Norton	Sweet
Bryant	Fuller	Kelly J D	O'Brien	Tallett
Burden	Gage	Kelly P J	O'Connor	Taylor T D
Burr	Gallup	Kenney	Oxford	Telford
Bush	Gathright	Kerrigan	Patrie	Tudor
Butts	Geoghan	Kiernan	Pembleton	Ulrich
Carroll	Geyer	Knight	Phillips	Van Woert
Carver	Gibbs	Knott	Pullman	Vert
Caughlan	Gillen	Larrimer	Richardson	Volk
Cole	Cillett	Levy	Robinson	Walker
Cronin	Goldberg	Lewis	Rozan	Ward
Cuvillier	Grace	Macdonald	Schaap	Webb
Daley	Grimme	Madden	Schifferdecker	Weil
Deitz	Gurnett	Magee	Schwarz	Wood
Dennen	Hamilton	Malone	Seaker	Yale
Denney	Hammer	Maloney	Seely J L	Yard
Donohue	Hinman	McCollum	Seelye G T	Yeomans
Doty	Hopkins	McCue	Shepardson	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1105, Int. No. 201) entitled "An act making appropriations, supplementary appropriations and reappropriations for improvements at the state hospitals for the insane," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McDaniels	Silverstein
Allen	Eisner	Hover	McElligott	Small
Baxter	Emden	Ingram	McGrath	Smith J A
Benninger	Esquirol	Jackson	McKee	Smith M
Bovie	Evans	Jones	McKeon	Squire
Bradley	Fallon	Jude	McMahon	Sufrin
Brereton	Finnigan	Kane	Monahan	Sutphin
Brewster	Fitzgerald	Kelly J A	Norton	Sweet
Bryant	Fuller	Kelly J D	O'Brien	Tallett
Burden	Gage	Kelly P J	O'Connor	Taylor T D
Burr	Gallup	Kenney	Oxford	Telford
Bush	Gathright	Kerrigan	Patrie	Tudor
Butts	Geoghan	Kiernan	Pembleton	Ulrich
Carroll	Geyer	Knight	Phillips	Van Woert
Carver	Gibbs	Knott	Pullman	Vert
Caughlan	Gillen	Larrimer	Richardson	Volk
Cole	Gillett	Levy	Robinson	Walker
Cronin	Goldberg	Lewis	Rozan	Ward
Cuvillier	Grace	Macdonald	Schaap	Webb
Daley	Grimme	Madden	Schifferdecker	Weil
Deitz	Gurnett	Magee	Schwarz	Wood
Dennen	Hamilton	Malone	Seaker	Yale
Denney	Hammer	Maloney	Seely J L	Yard
Donohue	Hinman	McCollum	Seelye G T	Yeomans
Doty	Hopkins	McCue	Shepardson	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1122, Int. No. 862) entitled "An act to amend chapter seven hundred and ten of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish the office of the comptroller of the city of Mount Vernon,' as amended by chapter sixty-nine of the Laws of nineteen hundred and one, as amended by chapter seventy-six of the Laws of nineteen hundred and ten, in relation to his annual report," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 124

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McDaniels	Silverstein
Allen	Eisner	Hover	McElligott	Small
Baxter	Emden	Ingram	McGrath	Smith J A
Benninger	Esquirol	Jackson	McKee	Smith M
Bovie	Evans	Jones	McKeon	Squire
Bradley	Fallon	Jude	McMahon	Sufrin
Brereton	Finnigan	Kane	Monahan	Sutphin
Brewster	Fitzgerald	Kelly J A	Norton	Sweet
Bryant	Fuller	Kelly J D	O'Brien	Tallett
Burden	Gage	Kelly P J	O'Connor	Taylor T D
Burr	Gallup	Kenney	Oxford	Telford
Bush	Gathright	Kerrigan	Patrie	Tudor
Butts	Geoghan	Kiernan	Pembleton	Ulrich
Carroll	Geyer	Knight	Phillips	Van Woert
Carver	Gibbs	Knott	Pullman	Vert
Caughlan	Gillen	Larrimer	Richardson	Volk
Cole	Gillett	Levy	Robinson	Walker
Cronin	Goldberg	Lewis	Rozan	Ward
Cuvillier	Grace	Macdonald	Schaap	Webb
Daley	Grimme	Madden	Schifferdecker	Weil
Deitz	Gurnett	Magee	Schwarz	Wood
Dennen	Hamilton	Malone	Seaker	Yale
Denney	Hammer	Maloney	Seely J L	Yard
Donohue	Hinman	McCollum	Seelye G T	Yeomans
Doty	Hopkins	McCue	Shepardson	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Schaap offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of three be appointed by the Speaker of the Assembly to investigate and report to the legislature upon the conditions of labor in the clothing manufacturing industry, with special regard to wages, earnings, hours and conditions of work, and the practice of contracting and sub-contracting; that such committee shall elect its own chairman, shall have power to compel the attendance of witnesses and the production of books and papers, to employ counsel and assistants, and otherwise have all the powers of a legislative committee.

which was referred to the committee on ways and means.

Mr. Yard offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 285, Int. No. 281) entitled "An act to au-

thorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

A communication was received from Hon. Edwin W. Fiske, mayor of the city of Mount Vernon, returning Assembly bill (No. 287, Int. No. 283) entitled "An act to amend chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the public school teachers' retirement fund of said city and payments therefrom," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 149, Int. No. 146) entitled "An act to amend chapter two hundred and eighty-one of the Laws of nineteen hundred and twelve, entitled 'An act to authorize the city of Buffalo to issue sinking fund water bonds for the purpose of raising money to pay and retire water bonds for which no sinking fund is provided,' authorizing the payment and retirement also of outstanding refunding bonds issued heretofore to pay and retire such water bonds, and relating to the rate of interest and place of payment of such sinking fund water bonds," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 285, Int. No. 281) entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street to acquire

title to the land necessary for such widening, and to issue bonds for said purpose," with a message that they have concurred in the passage of the same.

Ordered, that the Clerk deliver said resolution to the Governor.  
On motion of Mr. Bush, the House adjourned.

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FRIDAY, FEBRUARY 21, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Creighton R. Storey.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the following communication:

99 NASSAU STREET, NEW YORK, *February* 20, 1913.

HON. ALFRED E. SMITH, *Speaker of the Assembly, Albany, N. Y.:*

SIR.—It becomes my duty to tender to you my resignation as a Member of Assembly for the Tenth Assembly District of the county of New York.

I am impelled to make this announcement by reason of the fact that from a recount of the ballots in the twelfth election district it appears that errors were made in computing the vote for member of Assembly sufficient to overcome the plurality which I believed myself to have received.

Under these circumstances, my sense of justice and self respect have determined my action in refusing to continue to occupy a seat where my right is not beyond question.

The information came to me as a great shock and I feel myself the worst sufferer, in having unwittingly occupied a seat, where, as the returns at present show, I was not entitled to represent my constituency.

I wish to express my warm and sincere appreciation of my obligations to yourself and to the members of the House for the many courtesies which I have received at your and their hands.

I have felt it a great personal honor to be associated with yourself and them in the performance of the responsible duties of a legislator for our great State, and this feeling has spurred me to the immediate and decisive action which I have taken.

Sincerely yours,

MEYER GREENBERG.

Mr. Speaker presented the communication of Hon. Chas. S. Whitman, district attorney of the county of New York, in relation to the canvass of vote in the Tenth Assembly District of the county of New York, which was referred to the committee on privileges and elections.

Mr. Benninger introduced a bill entitled "An act to amend the Insurance Law, in relation to fire arms" (Int. No. 1244), which was read the first time and referred to the committee on insurance.

Mr. Kane introduced a bill entitled "An act to amend the Insurance Law, in relation to excusing persons from testifying upon any investigation, proceeding or inquiry before the State Fire Marshal" (Int. No. 1245), which was read the first time and referred to the committee on insurance.

Mr. Kennedy introduced a bill entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements confirmed after the first day of January, nineteen hundred and eight" (Int. No. 1246), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to assessments for local improvements" (Int. No. 1247), which was read the first time and referred to the committee on affairs of cities.

Mr. J. D. Kelly introduced a bill entitled "An act to amend the Insurance Law, in relation to reports of assistants to the State Fire Marshal" (Int. No. 1248), which was read the first time and referred to the committee on insurance.

Mr. McGrath introduced a bill entitled "An act authorizing the State Commission in Lunacy on behalf of the State of New York to surrender to the city of New York, and vesting in said city, the authority to accept same, an indenture of lease of premises situate in the borough of Manhattan, in said city, and leased to the State in pursuance of chapter seven hundred and sixty, Laws of nineteen hundred and four, and releasing to said city all the right and title of the State in and to said lease and premises" (Int. No. 1249), which was read the first time and referred to the committee on the judiciary.

Mr. Sufrin introduced a bill entitled "An act to provide for a

charter convention for the city of New York and a referendum of the voters of the city of New York on the charter proposed by the convention" (Int. No. 1250), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to inspection of premises by assistants to the State Fire Marshal" (Int. No. 1251), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the inspection of boilers by the State Fire Marshal" (Int. No. 1252), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to inspecting water supply and apparatus for fire fighting purposes" (Int. No. 1253), which was read the first time and referred to the committee on insurance.

Also, "An act to amend chapter fifteen of the Laws of nineteen hundred and nine, entitled 'An act in relation to the civil service of the State of New York and the civil divisions and cities thereof, constituting chapter seven of the Consolidated Laws,' as amended by chapter two hundred and sixty-four of the Laws of nineteen hundred and ten, in relation to the suspension and reinstatement of employees" (Int. No. 1254), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend chapter fifteen of the Laws of nineteen hundred and nine, entitled 'An act in relation to the civil service of the State of New York and the civil divisions and cities thereof, constituting chapter seven of the Consolidated Laws,' as amended by chapter two hundred and sixty-four of the Laws of nineteen hundred and ten, in relation to the power of removal" (Int. No. 1255), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Insurance Law, in relation to reports by insurance companies of fire losses to the State Fire Marshal" (Int. No. 1256), which was read the first time and referred to the committee on insurance.

Mr. Ward, by request, introduced a bill entitled "An act to

amend the Liquor Tax Law in relation to local option elections in cities of the third class " (Int. No. 1257), which was read the first time and referred to the committee on excise.

Also, "An act to amend the Insurance Law, in relation to service of orders made by the State Fire Marshal " (Int. No. 1258), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to lists of officers to be furnished to the State Fire Marshal by county clerks " (Int. No. 1259), which was read the first time and referred to the committee on insurance.

Also, by request, "An act to amend the Liquor Tax Law, in relation to local option in counties not containing a city " (Int. No. 1260), which was read the first time and referred to the committee on excise.

Mr. Wood introduced a bill entitled "An act to legalize the acts and proceedings of the board of supervisors of the county of Hamilton, in relation to changing the time for holding town meetings in such county " (Int. No. 1261), which was read the first time and referred to the committee on the judiciary.

Mr. Butts introduced a bill entitled "An act to amend the Insurance Law, in relation to assistants to the State Fire Marshal " (Int. No. 1262), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the construction of the provisions of such chapter relating to the State Fire Marshal " (Int. No. 1263), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to regulations by the State Fire Marshal " (Int. No. 1264), which was read the first time and referred to the committee on insurance.

Mr. Levy introduced a bill entitled "An act to amend the General City Law, in relation to the powers of cities (Int. No. 1265), which was read the first time and referred to the committee on affairs of cities.

Mr. Robinson introduced a bill entitled "An act to provide for experimental lighting of State highways by the Highway Commission, and making an appropriation therefor " (Int. No. 1266),



which was read the first time and referred to the committee on ways and means.

Mr. Knight introduced a bill entitled "An act to amend the Penal Law, relating to the delivery of distilled or rectified spirits, wine, fermented or malt liquors, within the State of New York, and to require all packages containing distilled or rectified spirits, wine, ferment or malt liquors, to be labeled on the outside or cover so as to show plainly the name of the consignee, the nature of its contents, and the quantity thereof" (Int. No. 1267), which was read the first time and referred to the committee on excise.

Mr. Jackson introduced a bill entitled "An act to amend the Labor Law, in relation to the organization of the Department of Labor and its various bureaus, the creation of an industrial board and the extension of the department's jurisdiction over mercantile establishments in cities of the second class" (Int. No. 1268), which was read the first time and referred to the committee on labor and industries."

Mr. Walker, from the committee on insurance, to which was referred the resolution relative to the appointment of a committee on changes in standard forms of insurance, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That the Legislature of the State of New York respectfully directs the Superintendent of Insurance to submit to the National Convention of Insurance Commissioners a request that a committee be appointed to investigate the necessity for any changes in the standard form of fire insurance policy and to recommend as soon as possible such changes as in the opinion of the committee may be necessary to the end that the Legislature of this State may enact appropriate legislation to carry such recommendations into effect.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Small (No. 971, Int. No. 927), entitled "An act to amend the County Law, in relation to the powers and duties of assistants to clerks in certain counties."

Also, the bill introduced by Mr. Schwarz (No. 650, Int. No. 630), entitled "An act to amend the Highway Law, by adding a new section to be known as section one hundred and forty-two-a, in relation to the cost of improvement of such highways between the rails and tracks and outside thereof of street surface railroads in villages and in cities of the second and third classes."

Also, the bill introduced by Mr. Rozan (No. 1090, Int. No. 1035), entitled "An act to amend the County Law, in relation to special deputy clerks in certain counties."

Also, the bill introduced by Mr. Robinson (No. 631, Int. No. 611), entitled "An act to amend the Town Law, in relation to the qualification of voters."

Also, the bill introduced by Mr. Allen (No. 663, Int. No. 637), entitled "An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government of the territory so annexed."

Also, the bill introduced by Mr. Geoghan (No. 223, Int. No. 220), entitled "An act transferring from the common council of the city of Buffalo to the board of park commissioners of said city jurisdiction and control over Kenilworth avenue in said city and providing for the improvement of said avenue."

Also, the bill introduced by Mr. Gurnett (No. 379, Int. No. 375), entitled "An act to legalize the acts and proceedings of the board of supervisors of the county of Schuyler, in relation to changing the time for holding town meetings in such county."

Also, the bill introduced by Mr. Hearn (No. 1076, Int. No. 1021), entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health."

Also, the bill introduced by Mr. Vert (No. 560, Int. No. 546), entitled "An act authorizing the town board of the town of Mooers, Clinton county, to convey lands for cemetery purposes."

Also, the bill introduced by Mr. T. K. Smith (No. 755, Int. No. 727), entitled "An act in relation to the acceptance by dedication of streets, highways and alleys in the city of Syracuse."

Also, the bill introduced by Mr. T. K. Smith (No. 750, Int. No.

722), entitled "An act restricting the filing and effect of certain maps of lands in and near the city of Syracuse, unless such maps are approved by the city engineer of the city of Syracuse."

Also, the bill introduced by Mr. Madden (No. 403, Int. No. 401), entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,' in relation to pensions for certain retired employees of such city."

Also, the bill introduced by Mr. J. D. Kelly (No. 895, Int. No. 853), entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty."

Also, the bill introduced by Mr. Denney (No. 1063, Int. No. 1011), entitled "An act to amend chapter six hundred and seventy-six of the Laws of nineteen hundred and seven, entitled 'An act to authorize the extension of Riverside park, in the city of New York, by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York,' generally."

Also, the bill introduced by Mr. Deitz (No. 912, Int. No. 869), entitled "An act to amend the Judiciary Law, in relation to the settlement or adjustment of certain actions in which an attorney shall have appeared."

Also, the bill introduced by Mr. Bovie (No. 718, Int. No. 690), entitled "An act to amend chapter one hundred and eighty-five of the Laws of eighteen hundred and forty-six, entitled 'An act authorizing the election of trustees of public lands of the town of Eastchester, and defining their duties,' in relation to the election and powers of such trustees."

Also, the bill introduced by Mr. Carver (No. 473, Int. No. 468), entitled "An act to amend the Greater New York charter, in relation to the municipal explosives commission, and to the powers, duties and regulations thereof," reported the same without

recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Campbell (No. 933, Int. No. 890), entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed," reported the same with the following recommendations:

Page 1, lines 9 and 10, change to italics.

Page 2, lines 1 to 19, inclusive, change to italics.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Phillips (No. 872, Int. No. 830), entitled "An act to amend chapter one hundred and thirty-four of the Laws of eighteen hundred and ninety-one, entitled 'An act to incorporate the Church Insurance Association,' generally," reported the same with the following recommendations:

Page 2, line 8, strike out comma after "Albion".

Page 3, line 12, strike out "s" in "state" and insert "S".

Line 15. strike out "of" and insert "in".

Page 4, line 3, strike out "or" in roman before "windstorm" and insert "or" in italics.

Line 15, strike out comma after "association".

Page 5, line 18, strike out "deegate" and insert "delegate".

Line 24, strike out "rspectively" and insert "respectively";

Page 7, line 8, after "damage" add "s".

Page 8, lines 25 and 26, change to italics.

Page 9, lines 1, 2 and 3, change to italics.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Malone (No. 120, Int. No. 120), entitled "An act to establish a firemen's pension fund and insurance fund in the city of Albany, and repealing certain acts in relation thereto known as chapter one hundred and seventy-three of the Laws of eighteen hundred and eighty-three, chapter three hundred and thirty-two of the Laws of eighteen hundred and eighty-five and chapter four hundred and eleven of the Laws of

eighteen hundred and eighty-six," reported the same with the following recommendations:

Page 2, line 1, after "fines" insert comma.

Line 24, strike out "the" before "case"; strike out "of" after "case" and insert in lieu thereof "the".

Page 9, line 12, begin new paragraph.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Emden (No. 462, Int. No. 457), entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' generally, and abolishing the office of ward collector," reported the same with the following recommendations:

Page 2, line 6, after "collector" add "s".

Page 3, line 2, after "dollar" transpose "]" and ".".

Line 4, strike out "and" after "treasurer".

Page 4, line 23, strike out comma after "wards".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to establish a pension fund for the paid officers and members of the fire department of the city of New Rochelle." (No. 1234, Int. No. 395.)

"An act to amend the Greater New York charter, in relation to the duties and powers of the department of taxes and assessments." (No. 1231, Int. No. 575.)

"An act to amend the State Charities Law, in relation to quarterly estimates of expenses; contingent fund." (No. 1233, Int. No. 430.)

The bill (No. 580, Int. No. 566) entitled "An act to amend the Education Law, in relation to the construction and operation of water-works and sewer systems by incorporated colleges," was read the second time.

On motion of Mr. Allen, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 640, Int. No. 620) entitled "An act to amend the Membership Corporations Law, in relation to cemetery corporations," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 829, Int. No. 796) entitled "An act to amend the Village Law, in relation to the compensation of collectors," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 840; Int. No. 789) entitled "An act to amend the Village Law, in relation to street improvement," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 841, Int. No. 799) entitled "An act to amend the Village Law, in relation to notice of completion of annual assessment-roll," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 639, Int. No. 619) entitled "An act to amend the Conservation Law, in relation to fishing through the ice in Lake George," was read the second time.

On motion of Mr. Brereton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 734, Int. No. 706) entitled "An act making an appropriation in accordance with chapter two hundred and twenty-seven of the Laws of nineteen hundred and twelve, to provide for the celebration of the Fiftieth Anniversary of the Battle of Gettysburg," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 924, Int. No. 881) entitled "An act to provide for existing deficit in funds available for support of the military establishment of the state and making an appropriation therefor," having been announced for a second reading.

On motion of Mr. Hinman, and by unanimous consent, said

bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1035, Int. No. 983) entitled "An act to amend the Town Law, in relation to certain town expenses and liabilities and providing funds for paying the same," was read the second time.

On motion of Mr. Butts, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 954, Int. No. 910) entitled "An act to amend the Agricultural Law, in relation to commercial fertilizer," was read the second time.

On motion of Mr. Cole, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 955, Int. No. 911) entitled "An act to amend the Agricultural Law, in relation to concentrated commercial feeding stuffs," was read the second time.

On motion of Mr. Cole, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 400, Int. No. 397) entitled "An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 176, Int. No. 172) entitled "An act to provide for the deepening of the channel of Ellicott creek from the Erie canal to the city line of the city of Tonawanda, and for the repair of the bridges crossing the same, and making an appropriation therefor," was read the second time.

On motion of Mr. Goeghan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 173, Int. No. 169) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the compensation and lien of attorneys and counsellors in said court," was read the second time.



On motion of Mr. Geyer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1040, Int. No. 988) entitled "An act to amend the General Business Law, in relation to pressing and marketing hay and straw," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 124, Int. No. 124) entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan crossing in Kings county," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 899, Int. No. 857) entitled "An act to amend the Code of Civil Procedure, in relation to preference in applications for letters of administration," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 929, Int. No. 886) entitled "An act to amend the Code of Civil Procedure, in relation to costs of an executor on a contest," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 742, Int. No. 714) entitled "An act to amend the Penal Law, in relation to trade marks," was read the second time.

On motion of Mr. Knight, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 133, Int. No. 131) entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.



The bill (No. 743, Int. No. 715) entitled "An act to authorize appeals in certain proceedings brought by the city of New York for acquiring property in the borough of Manhattan, city of New York, for bridge purposes," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 115, Int. No. 115) entitled "An act to repeal section three hundred and thirty-two of the Conservation Law, in relation to nets in Far Rockaway bay, Jones' inlet or adjacent waters," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1031, Int. No. 602) entitled "An act to amend the Liquor Tax Law, in relation to the issuance of certificates under the provisions of subdivision two of section eight, limitation of such certificates and transfers thereof under abandonment notices," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 348, Int. No. 344) entitled "An act to amend the Code of Civil Procedure, in relation to the filing of all papers in each action or proceeding in the same file, or bundle, and relative to the record on appeals to the Court of Appeals," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1001, Int. No. 955) entitled "An act to amend the Code of Civil Procedure, in relation to the removal of causes," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 995, Int. No. 949) entitled "An act to amend the Code of Civil Procedure in relation to the vacation of judgments and the removal of causes," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 200, Int. No. 197) entitled "An act to amend the Code of Civil Procedure, in relation to undertakings," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 646, Int. No. 626) entitled "An act to amend the Real Property Law, in relation to creation and division of estates," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1134, Int. No. 1061) entitled "An act to amend the Education Law, relative to the powers of voters of school districts, and extending the use of school buildings," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1135, Int. No. 1062) entitled "An act to amend the Education Law, relative to the consolidation of districts by a vote of a district meeting," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 84, Int. No. 84) entitled "An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 138, Int. No. 136) entitled "An act to release the interest of the State of New York in the property and estate of Margaret E. Tompkins, deceased, to the heirs and next of kin of Noah D. Tompkins, deceased," was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1042, Int. No. 990) entitled "An act to authorize the macadamizing or paving of streets, avenues or highways, and

the construction of the necessary drains, curbing and gutters therefor, and in connection therewith, in the village of White Plains, New York, Westchester county, and to provide the manner and means of paying therefor," was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 815, Int. No. 782) entitled "An act to provide for a public park at Lake Ronkonkoma in Suffolk county, New York, for the perpetual enjoyment of the people of the state and to preserve it in its natural condition of scenic beauty," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1051, Int. No. 999) entitled "An act in relation to the erection of a monument to commemorate the services of Brevet-Major-General Newton Martin Curtis, and reappropriating certain money therefor," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 884, Int. No. 842) entitled "An act to amend the Conservation Law, in relation to the sale of trout raised in private hatcheries," was read the second time.

On motion of Mr. Vert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 636, Int. No. 616) entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 284, Int. No. 280) entitled "An act to amend the Code of Civil Procedure, in relation to the powers of the surrogate respecting the construction or effect of dispositions of property by will," was read the second time.

On motion of Mr. Weil, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 820, Int. No. 787) entitled "An act to amend the Conservation Law, in relation to the open season for wild deer, and number to be taken," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1010, Int. No. 964) entitled "An act to amend chapter six hundred and sixty-seven of the Laws of nineteen hundred and ten, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining,' in relation to sewer assessment bonds," was read the second time.

On motion of Mr. Yard, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Hughes offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 109, Int. No. 109) entitled "An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 108, Int. No. 108) entitled "An act authorizing the common council and mayor of the city of Buffalo to lease or grant a right to use to abutting owners on the north side of Sienkiewicz place in said city a strip of land of said street not to exceed six feet in width," with a message that they have concurred in the message of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

On motion of Mr. Levy, the House adjourned.

MONDAY, FEBRUARY 24, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Burton J. Hotaling.

On motion of Mr. Levy, the reading of the journal of Friday, February twenty-first, was dispensed with and the same was approved.

Mr. Speaker presented the following communication:

HON. ALFRED E. SMITH, *Speaker of the Assembly of the State of New York, Albany, N. Y.:*

DEAR SIR.—This Commission acknowledges the receipt of a certified copy of the resolution adopted by the Assembly on February 10, 1913, directing this Commission to report to the Legislature as to the feasibility of bringing such proceedings as may be necessary to compel the substitution of electric engines in the place of steam engines in train operation along Riverside drive, in the borough of Manhattan.

On April 18, 1911, this Commission instituted upon its own motion a proceedings "for the purpose of inquiring and determining whether any change or changes in the motive power in use by the New York Central and Hudson River Railroad Company with the first district, on its line extending from Albany southwardly along the Hudson river, through the westerly part of the city of New York to various points in the westerly part of said city, ought reasonably to be made in order to promote the security or convenience of the public, or employees, or in order to secure adequate service or facilities for the transportation of passengers or property and if it be so found then to inquire and determine what change or changes in motive power should be made, and what period would be a reasonable time within which such change or changes should be made."

The taking of testimony was begun on the following day and was concluded on January 22, 1912. At the close of the testimony, the defendant carrier moved that the proceeding be dismissed upon the ground that by chapter 777 of the Laws of 1911, which had been enacted during the pendency of the proceeding, the Legislature had assumed to prescribe the conditions and limit the time for the abandonment of steam and the use of electricity as a motive power upon this railroad, had declared all acts in conflict with that act to be repealed and had transferred to the board of estimate and apportionment, as contractual function, any power which this Commission may have had over that subject matter.

The title of the act referred to which became a law on July 25, 1911, is as follows: "An act to provide for the regulation and improvement of the railroad, terminals and approaches thereto, and of the motive power to be used thereon, of the New York Central and Hudson River Railroad Company in the city of New York, and, for such purpose, for discontinuing the use at grade by said company of certain streets, avenues, public parks or places in said city. and, also, for such purpose, to authorize the city of New York to grant real property and rights to said railroad company and to acquire real property and rights from said railroad company."

In view of the provisions of the act referred to, the Commission felt that it had no alternative but to dismiss the proceedings.

A certified copy of the opinion in the case referred to is herewith enclosed. Additional copies will gladly be supplied by this Commission to any members of the Legislature interested in the same.

Very truly yours,  
TRAVIS H. WHITNEY,  
*Secretary.*

The Speaker presented the following communication:

HON. ALFRED E. SMITH, *Speaker of the Assembly of the State of New York, Albany, N. Y.:*

DEAR SIR.—This Commission acknowledges the receipt of a certified copy of a resolution passed by the Assembly on January 20, 1913, authorizing and directing this Commission to forward to the Assembly a report of its investigations relative to service conditions on street surface railroads under its jurisdiction and its recommendations as to what legislation will enable this Commission most effectively to lessen existing shortcomings in service and facilities.

The resolution of the Assembly recites that the dissatisfaction with the transit facilities afforded by the street surface railways is mainly due to the following factors:

1. Failure to operate sufficient cars in the morning and evening.
2. Overcrowding of cars on the busiest lines.
3. Failure to instruct conductors on the proper transfer slips.
4. Removing crowded cars from service at car barns and switches instead of transporting passengers to destination.
5. Refusing to stop cars at crossing, thus compelling passengers to wait for five or ten minutes.
6. Refusing to stop cars on the command of passengers.

The first two of the above stated causes of complaint must be regarded as due to physical conditions over which neither this

Commission nor the carriers in fact have control. In many parts of the city, it is not physically possible to operate in the morning or evening a sufficient number of cars to accommodate the number of passengers who under existing conditions must use the surface lines. Especially does this inevitable overcrowding exist on the busiest lines to which the resolution refers. Every effort has been made, by increasing the size of cars, the adoption of improved devices permitting of smaller headway, and similar expedients, to increase the number of passengers which can be carried past a given point on those lines during a given time during the rush hours. A very great advance in this respect has taken place during the tenure of this Commission, but the point of saturation has been reached on many of the surface lines and relief must come through additional rapid transit facilities to handle the through traffic.

The four other causes of complaint specified in the resolution of the Assembly present essentially the question of whether the individual employees of the operating companies are sufficiently instructed and disciplined, so that they obey regulations of the companies based upon requirements prescribed by this Commission. It is not suggested that any of these causes of complaint exist by reason of any of the rules and regulations. It is simply a question of discipline on the part of the management of the companies in seeing to it that their employees live up to the rules, and this brings in a human element not always within the control of a regulatory body.

After the Commission brought about, on November 1, 1912, the putting into effect of a comprehensive transfer system in the borough of Manhattan, a great deal of difficulty and confusion was at first experienced, because of ignorance and mistakes on the part of conductors or the unfamiliarity of the passengers with the inevitably complicated plan which had gone into operation. The number of complaints in reference to the matter soon began to fall off gradually, and they now have practically ceased. During the past two months, the Commission has received only two or three complaints which could be attributed to dissatisfaction with the transfer arrangements. The fact that so very few complaints are now being received would seem to indicate increased effectiveness of the efforts that have been made to instruct conductors as to the proper use of transfer slips.

Refusal to stop cars at crossings and at point indicated by passengers is another source of dissatisfaction which arises in considerable part from the failure of employees to obey regulations. There is, however, a factor which is found to be most frequent source of this complaint, namely, that the prevalent



methods of traffic regulation at street and track intersections unavoidably create confusion of the sort complained of. At points where traffic policemen are maintained no regular stopping point for cars can be observed for the reason that when a car approaches a crossing, it may be signalled by the officer to wait or to pass immediately over the crossing without stopping. When more than one car passes over a crossing at a time it must proceed far enough beyond the intersection to give room for the cars back of it to clear the intersection. At many points it frequently happens that as many as five cars in this manner signalled pass an intersection at one time. This, of course, greatly confuses the passengers as to the places where their cars will stop and often leads passengers to think that their commands have been ignored by the motorman and conductor. This condition does not exist on streets where the headway is greater than one minute, but under existing traffic regulations it has not seemed possible to devise any remedy for this cause of complaint.

The practice of turning back cars or taking them out of service at car barns, has received the constant attention of this Commission. No company is permitted to turn back cars unless (1) the regular schedules provide for it at that point, (2) the car bears destination signs indicating the turning back point, and (3) an adequate number of through cars are operated on the line to accommodate all passengers at all times with seats. Whenever it has come to the notice of the Commission that cars have been turned back contrary to these regulations, the company has been called upon to explain the reason therefor. The practice has been very greatly reduced.

Opinions that have been adopted by the Commission from time to time, relative to various phases of the above sources of complaint, are contained in the reports of decisions of this Commission, as published from time to time.

Very truly yours,

TRAVIS H. WHITNEY,  
*Secretary.*

Mr. Speaker presented the resolutions of the Tenants Union of New York in relation to sanitary tenements, which was referred to the committee on affairs of cities.

The Senate sent for concurrence the following entitled bills:

“An act to amend chapter seven hundred and sixty of the Laws of eighteen hundred and ninety-seven, as amended, entitled ‘An act to revise the charter of the city of Watertown,’ in relation to



extending the time for the payment of taxes" (No. 816, Rec. No. 72), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter eight hundred and fifty-five of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity and providing for their compensation,' in relation to the services prerequisite to such retirement, and to voluntary retirement" (No. 878, Rec. No. 73), which was read the first time and referred to the committee on the judiciary.

"An act to release the interest of the State of New York in the property and estate of Margaret E. Tompkins, deceased, to the heirs and next of kin of Noah D. Tompkins, deceased" (No. 141, Rec. No. 74), which was read the first time and referred to the committee on ways and means.

"An act to amend the County Law, in relation to limitation of credit of towns and counties" (No. 848, Rec. No. 75), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Highway Law, generally" (No. 736, Rec. No. 76), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' in relation to the salary of the sheriff, appointment and compensation of the sheriff's assistants and the care and maintenance of jails and prisoners" (No. 849, Rec. No. 77), which was read the first time and referred to the committee on internal affairs.

Mr. Daley introduced a bill entitled "An act making an appropriation for the construction of a poultry building on the State Fair grounds at Syracuse, and for the improvement of said grounds" (Int. No. 1269), which was read the first time and referred to the committee on ways and means.

Mr. Goldberg introduced a bill entitled "An act to amend section two hundred and eighty of the Penal Law, in relation to pro-

hibiting corporations and voluntary associations from practicing or furnishing legal service or advice" (Int. No. 1270), which was read the first time and referred to the committee on codes.

Mr. Jude introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article one of the Constitution, relating to the drainage of agricultural lands" (Int. No. 1271), which was read the first time and referred to the committee on the judiciary.

Mr. P. J. Kelly introduced a bill entitled "An act to amend the Highway Law, in relation to the construction or improvement of highways by county and town" (Int. No. 1272), which was read the first time and referred to the committee on internal affairs.

Mr. Levy introduced a bill entitled "An act to amend the Greater New York charter, in relation to the power of the board of aldermen to issue permits for the sale of newspapers and periodicals" (Int. No. 1273), which was read the first time and referred to the committee on affairs of cities.

Mr. Tudor introduced a bill entitled "An act to amend article nine of the Public Health Law, chapter forty-five of the Consolidated Laws, relating to the definition of practice of dentistry, the appointment of members of the State Board of Dental Examiners, licenses, correction of books of dental registry and penalties" (Int. No. 1274), which was read the first time and referred to the committee on public health.

Mr. Finnigan introduced a bill entitled "An act to amend the Greater New York charter, in relation to compensation for city employees during absence from duty occasioned by injuries received in the performance of duty" (Int. No. 1275), which was read the first time and referred to the committee on affairs of cities.

Mr. Silverstein introduced a bill entitled "An act to amend the Greater New York charter, by creating and providing for a new department, to be known as the sanitary department" (Int. No. 1276), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Municipal Court Act of the City of New York, in relation to payment of jury fees" (Int. No.

1277), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Municipal Court Act of the City of New York, in relation to appeals" (Int. No. 1278), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Municipal Court Act of the City of New York, in relation to trial by jury of twelve" (Int. No. 1279), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Municipal Court Act of the City of New York, in relation to issuance of summons" (Int. No. 1280), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Municipal Court Act of the City of New York, in relation to fees payable to clerks" (Int. No. 1281), which was read the first time and referred to the committee on codes.

Mr. McElligott introduced a bill entitled "An act to establish the New York Commercial Tercentenary Commission, and to prescribe the powers and duties thereof" (Int. No. 1282), which was read the first time and referred to the committee on general laws.

Mr. Fallon introduced a bill entitled "An act to amend the Penal Law, in relation to false or misleading advertisements" (Int. No. 1283), which was read the first time and referred to the committee on codes.

Mr. Adler introduced a bill entitled "An act to amend the Religious Corporations Law, in relation to the number of trustees of Baptist churches" (Int. No. 1284), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Evans introduced a bill entitled "An act to amend the Conservation Law, in relation to hunting and trapping licenses for non-residents" (Int. No. 1285), which was read the first time and referred to the committee on conservation.

Mr. Hearn introduced a bill entitled "An act to authorize the State Architect to receive tenders of sale or gift to the State of real estate in the city of Buffalo, as a site for a State building in

said city, to contain all branch offices of State officers, bureaus or departments located or needed in said city, and to authorize the city of Buffalo to offer or tender the sale or gift of such a site" (Int. No. 1286), which was read the first time and referred to the committee on the judiciary.

Mr. Schaap introduced a bill entitled "An act to amend the Real Property Law, in relation to recording a bond or other instrument secured by mortgage" (Int. No. 1287), which was read the first time and referred to the committee on the judiciary.

Mr. Fuller introduced a bill entitled "An act to amend the State Charities Law, in relation to the Rome State Custodial Asylum" (Int. No. 1288), which was read the first time and referred to the committee on charitable and religious societies.

Mr. McMahon introduced a bill entitled "An act to amend the Stock Corporation Law, in relation to disposal of unpaid wages of employees" (Int. No. 1289), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Greater New York charter, in relation to promotions in the police and fire departments" (Int. No. 1290), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to qualifications of patrolmen" (Int. No. 1291), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to pensions for firemen and policemen" (Int. No. 1292), which was read the first time and referred to the committee on affairs of cities.

Mr. Monahan introduced a bill entitled "An act providing for the laying out, opening and extending of Cypress Hills road, in the borough of Brooklyn, in the city of New York, through the land of Salem Field, B'Nai Jeshurun and Cypress Hills cemeteries, in said borough" (Int. No. 1293), which was read the first time and referred to the committee on affairs of cities.

Mr. Maloney introduced a bill entitled "An act to amend the Education Law, in relation to the establishment of a State normal and training school on Long Island" (Int. No. 1294), which was

read the first time and referred to the committee on ways and means.

Mr. Phillips introduced a bill entitled "An act to amend chapter seven hundred and fifty-five of the Laws of nineteen hundred and seven, entitled 'An act constituting the charter of the city of Rochester,' in relation to the powers and duties of the board of trustees of public library" (Int. No. 1295), which was read the first time and referred to the committee on affairs of cities.

Mr. Small introduced a bill entitled "An act to provide for a reduced fare for school children on railroads in the city of Buffalo" (Int. No. 1296), which was read the first time and referred to the committee on railroads.

Also, "An act to provide for one rate fare, by railroad, between Buffalo and Niagara Falls" (Int. No. 1297), which was read the first time and referred to the committee on railroads.

Mr. Esquirol introduced a bill entitled "An act providing for the laying out, opening and extending of Albany avenue, in the borough of Brooklyn, in the city of New York, through the land of Holy Cross cemetery, in said borough" (Int. No. 1298), which was read the first time and referred to the committee on affairs of cities.

Mr. Baxter introduced a bill entitled "An act to ratify and confirm the proceedings of the city of Watervliet, in the county of Albany, in the issuance and sale of its local improvement bonds, series A, in the amount of forty thousand three hundred and fifty dollars and to legalize said bonds, and to provide for the payment of the principal and interest thereof" (Int. No. 1299), which was read the first time and referred to the committee on the judiciary.

Mr. Rozan introduced a bill entitled "An act to amend the Insurance Law, in relation to the inspection of boilers in buildings" (Int. No. 1300), which was read the first time and referred to the committee on insurance.

Mr. Geoghan introduced a bill entitled "An act authorizing the city of Buffalo to establish and maintain a fund for the insurance of buildings and other property owned by said city, and authorizing said city to borrow money by the issuance and sale

of bonds for such purpose" (Int. No. 1301), which was read the first time and referred to the committee on affairs of cities.

Mr. Small introduced a bill entitled "An act to amend chapter one hundred and sixty of the Laws of nineteen hundred and twelve, entitled 'An act providing for the erection of a boathouse, shelters, wharves and retaining walls at the city of Buffalo, for the Third Division of the Third Battalion of the Naval Militia, upon lands of the State in the city of Buffalo, and making an appropriation therefor' in relation to the location of such lands and powers of the Commissioners of the Land Office relative thereto" (Int. No. 1302), which was read the first time and referred to the committee on ways and means.

Mr. Jackson introduced a bill entitled "An act transferring Hopkins street in the city of Buffalo from the jurisdiction and control of the common council to the jurisdiction and control of the park commissioners of said city" (Int. No. 1303), which was read the first time and referred to the committee on affairs of cities.

Mr. Fallon introduced a bill entitled "An act to amend the Canal Law, in relation to the Shinnecock and Peconic canal" (Int. No. 1304), which was read the first time and referred to the committee on canals.

Mr. McCue introduced a bill entitled "An act to amend the Greater New York charter, in relation to the official title of the officer authorized to issue licenses in the city of New York" (Int. No. 1305), which was read the first time and referred to the committee on affairs of cities.

Mr. Schaap introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section six of article one of the Constitution, relating to the scope of the police power of the State and a method of submitting to the people certain questions arising thereunder" (Int. No. 1306), which was read the first time and referred to the committee on the judiciary.

By unanimous consent, Mr. F. D. Taylor introduced a bill entitled "An act to revise the charter of the city of Rensselaer" (Int. No. 1307), which was read the first time.

On motion of Mr. F. D. Taylor, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on affairs of cities.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bovie (No. 829, Int. No. 796), entitled "An act to amend the Village Law, in relation to the compensation of collectors."

Also, the bill introduced by Mr. Allen (No. 580, Int. No. 566), entitled "An act to amend the Education Law, in relation to the construction and operation of water-works and sewer systems by incorporated colleges."

Also, the bill introduced by Mr. Bovie (No. 840, Int. No. 789), entitled "An act to amend the Village Law, in relation to street improvement."

Also, the bill introduced by Mr. McGrath (No. 995, Int. No. 949), entitled "An act to amend the Code of Civil Procedure, in relation to the vacation of judgments and the removal of causes."

Also, the bill introduced by Mr. Weil (No. 284, Int. No. 280), entitled "An act to amend the Code of Civil Procedure, in relation to the powers of the surrogate respecting the construction or effect of dispositions of property by will."

Also, the bill introduced by Mr. Walker (No. 636, Int. No. 616), entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted."

Also, the bill introduced by Mr. McGrath (No. 646, Int. No. 626), entitled "An act to amend the Real Property Law, in relation to creation and division of estates."

Also, the bill introduced by Mr. McGrath (No. 200, Int. No. 197), entitled "An act to amend the Code of Civil Procedure, in relation to undertakings."

Also, the bill introduced by Mr. McElligott (No. 348, Int. No. 344), entitled "An act to amend the Code of Civil Procedure, in relation to the filing of all papers in each action or proceeding in the same file, or bundle, and relative to the record on appeals to the Court of Appeals."

Also, the bill introduced by Mr. McGrath (No. 1001, Int. No. 955), entitled "An act to amend the Code of Civil Procedure, in relation to the removal of causes."

Also, the bill introduced by Mr. J. D. Kelly (No. 899, Int. No. 857), entitled "An act to amend the Code of Civil Procedure, in relation to preference in applications for letters of administration."



Also, the bill introduced by Mr. Cole (No. 955, Int. No. 911), entitled "An act to amend the Agricultural Law, in relation to concentrated commercial feeding stuffs."

Also, the bill introduced by Mr. O'Brien (No. 138, Int. No. 136), entitled "An act to release the interest of the State of New York in the property and estate of Margaret E. Tompkins, deceased, to the heirs and next of kin of Noah D. Tompkins, deceased."

Also, the bill introduced by Mr. Levy (No. 743, Int. No. 715), entitled "An act to authorize appeals in certain proceedings brought by the city of New York for acquiring property in the borough of Manhattan, city of New York, for bridge purposes."

Also, the bill introduced by Mr. Geoghan (No. 176, Int. No. 172), entitled "An act to provide for the deepening of the channel of Ellicott creek from the Erie canal to the city line of the city of Tonawanda, and for the repair of the bridges crossing the same, and making an appropriation therefor."

Also, the bill introduced by Mr. Bush (No. 734, Int. No. 706), entitled "An act making an appropriation in accordance with chapter two hundred and twenty-seven of the Laws of nineteen hundred and twelve, to provide for the celebration of the Fiftieth Anniversary of the Battle of Gettysburg."

Also, the bill introduced by Mr. Yard (No. 1010, Int. No. 964), entitled "An act to amend chapter six hundred and sixty-seven of the Laws of nineteen hundred and ten, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining,' in relation to sewer assessment bonds."

Also, the bill introduced by Mr. Vert (No. 884, Int. No. 842), entitled "An act to amend the Conservation Law, in relation to the sale of trout raised in private hatcheries."

Also, the bill introduced by Mr. Butts (No. 1035, Int. No. 983), entitled "An act to amend the Town Law, in relation to certain town expenses and liabilities and providing funds for paying the same."

Also, the bill introduced by Mr. Brereton (No. 639, Int. No. 619), entitled "An act to amend the Conservation Law, in relation to fishing through the ice in Lake George."

Also, the bill introduced by Mr. Bovie (No. 841, Int. No. 799),



entitled "An act to amend the Village Law, in relation to notice of completion of annual assessment roll," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Geyer (No. 173, Int. No. 169), entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the compensation and lien of attorneys and counsellors in said court," reported the same with the following recommendations:

Page 1, line 7 and 8, reset in italics.

Page 2, lines 1 to 11, inclusive, reset in italics.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cole (No. 954, Int. No. 910), entitled "An act to amend the Agricultural Law, in relation to commercial fertilizer," reported the same with the following recommendation:

Page 1, line 4, before "is" insert "as amended by chapter four hundred and thirty-five of the Laws of nineteen hundred and ten,".

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Knight (No. 742, Int. No. 714), entitled "An act to amend the Penal Law, in relation to trade marks," reported the same with the following recommendations:

Page 2, line 25, strike out " ; or," in roman and insert same in italics.

Page 3, line 1, strike out " 8 " in roman and insert "8 " in italics.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McKee (No. 1134, Int. No. 1061), entitled "An act to amend the Education Law, relative to the powers of voters of school districts, and extending the use of school buildings," reported the same with the following recommendations:

Page 2, line 23, at end thereof, strike out comma.

Page 3, line 17, strike out "e" in italic at end of "agriculture" and insert "al" in italics.

Line 19, strike out ", without a vote of the district" and insert in italics ", without a vote of the district".

Line 27, insert comma after "schoolhouses".

Page 4, line 2, strike out "and" first occurring, and insert "[and]".

Line 15, strike out "t" in roman in "the", first occurring, and insert "t" in italic.

Page 7, line 11, after "improvements" strike out comma.

Line 12, after "for" insert "the".

Line 17, after "teachers" strike out comma.

Page 8, line 24, after "district" insert comma.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed." (No. 1346, Int. No. 830.)

"An act to amend chapter one hundred and thirty-four of the Laws of eighteen hundred and ninety-one, entitled 'An act to incorporate the Church Insurance Association,' generally." (No. 1345, Int. No. 890.)

"An act to amend the Judiciary Law, in relation to the settlement or adjustment of certain actions in which an attorney shall have appeared." (No. 912, Int. No. 869.)

"An act to establish a firemen's pension fund and insurance fund in the city of Albany, and repealing certain acts in relation thereto known as chapter one hundred and seventy-three of the Laws of eighteen hundred and eighty-three, chapter three hundred and thirty-two of the Laws of eighteen hundred and eighty-five and chapter four hundred and eleven of the Laws of eighteen hundred and eighty-six." (No. 1344, Int. No. 120.)

"An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights, constituting chapter six of the Consolidated Laws.'" (No. 1232, Int. No. 503.)

"An act transferring from the common council of the city of Buffalo to the board of park commissioners of said city jurisdiction and control over Kenilworth avenue in said city, and provid-

ing for the improvement of said avenue." (No. 223, Int. No. 220.)

"An act to amend the Town Law, in relation to the qualification of voters." (No. 631, Int. No. 611.)

"An act authorizing the city of Buffalo to borrow money by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health." (No. 1076, Int. No. 1021.)

"An act authorizing the town board of the town of Mooers, Clinton county, to convey lands for cemetery purposes." (No. 560, Int. No. 546.)

"An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,' in relation to pensions for certain retired employees of such city." (No. 403, Int. No. 401.)

"An act to amend chapter six hundred and seventy-six of the Laws of nineteen hundred and seven, entitled 'An act to authorize the extension of Riverside park, in the city of New York, by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York,' generally." (No. 1063, Int. No. 1011.)

"An act restricting the filing and effect of certain maps of lands, in and near the city of Syracuse, unless such maps are approved by the city engineer of the city of Syracuse." (No. 750, Int. No. 722.)

"An act in relation to the acceptance by dedication of streets, highways and alleys in the city of Syracuse." (No. 755, Int. No. 727.)

"An act to amend the Greater New York charter, in relation to the municipal explosives commission and to the powers, duties and regulations thereof." (No. 473, Int. No. 468.)

"An act to amend the Code of Civil Procedure, in relation to  
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final orders upon an application for the discharge of a person imprisoned or restrained in his liberty.” (No. 895, Int. No. 853.)

“An act to amend the County Law, in relation to the powers and duties of assistants to clerks in certain counties.” (No. 971, Int. No. 927.)

“An act to amend the Code of Civil Procedure, in relation to the powers of the surrogate respecting the construction or effect of dispositions of property by will.” (No. 284, Int. No. 280.)

“An act to amend the Code of Civil Procedure, in relation to the removal of causes.” (No. 1001, Int. No. 955.)

“An act to amend the Village Law, in relation to compensation of collectors.” (No. 829, Int. No. 796.)

“An act to amend the Conservation Law, in relation to the sale of trout raised in private hatcheries.” (No. 884, Int. No. 842.)

“An act to amend the Code of Civil Procedure, in relation to undertakings.” (No. 200, Int. No. 197.)

“An act to amend the Agricultural Law, in relation to concentrated commercial feeding stuffs.” (No. 955, Int. No. 911.)

“An act to amend chapter one hundred and eighty-five of the Laws of eighteen hundred and forty-six, entitled ‘An act authorizing the election of trustees of public lands of the town of Eastchester, and defining their duties,’ in relation to the election and powers of such trustees.” (No. 718, Int. No. 690.)

“An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted.” (No. 636, Int. No. 616.)

“An act to amend the Real Property Law, in relation to creation and division of estates.” (No. 646, Int. No. 626.)

“An act to amend the Town Law, in relation to certain town expenses and liabilities and providing funds for paying the same. (No. 1035, Int. No. 983.)

“An act providing for the relief of William Shanley.” (No. 1039, Int. No. 987.)

“An act to amend the Village Law, in relation to street improvement.” (No. 840, Int. No. 798.)

“An act to release the interest of the State of New York in the property and estate of Margaret E. Tompkins, deceased, to the heirs and next of kin of Noah D. Tompkins, deceased.” (No. 138, Int. No. 136.)

“An act making an appropriation in accordance with chapter two hundred and twenty-seven of the Laws of nineteen hundred and twelve, to provide for the celebration of the Fiftieth Anniversary of the Battle of Gettysburg.” (No. 734, Int. No. 706.)

“An act to authorize appeals in certain proceedings brought by the city of New York for acquiring property in the borough of Manhattan, city of New York, for bridge purposes.” (No. 743, Int. No. 715.)

“An act to amend the Code of Civil Procedure, in relation to preference in applications for letters of administration.” (No. 899, Int. No. 857.)

“An act to amend the County Law, in relation to special deputy clerks in certain counties.” (No. 1090, Int. No. 1035.)

“An act to amend the Education Law, in relation to the construction and operation of water-works and sewer systems by incorporated colleges.” (No. 580, Int. No. 566.)

“An act to amend the Code of Civil Procedure, in relation to the vacation of judgments and the removal of causes.” (No. 995, Int. No. 949.)

“An act to provide for the deepening of the channel of Ellicott creek from the Erie canal to the city line of the city of Tonawanda and for the repair of the bridges crossing the same, and making an appropriation therefor.” (No. 176, Int. No. 172.)

“An act to amend the Village Law, in relation to notice of completion of annual assessment roll.” (No. 841, Int. No. 799.)

“An act to amend the Code of Civil Procedure, in relation to the filing of all papers in each action or proceeding in the same file, or bundle, and relative to the record on appeals to the court of appeals.” (No. 348, Int. No. 344.)

“An act to amend the Conservation Law, in relation to fishing through the ice in Lake George.” (No. 639, Int. No. 619.)

“An act to amend the Highway Law, by adding a new section to be known as section one hundred and forty-two-a in relation to the cost of improvement of such highways between the rails and tracks and outside thereof of street surface railroads in villages and in cities of the second and third classes.” (No. 650, Int. No. 630.)

“An act to amend chapter six hundred and sixty-seven of the Laws of nineteen hundred and ten, entitled ‘An act to amend,

revise and consolidate the charter of the village of Ossining," in relation to sewer assessment bonds." (No. 1010, Int. No. 964.)

"An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government of the territory so annexed." (No. 663, Int. No. 637.)

"An act to legalize the acts and proceedings of the board of supervisors of the county of Schuyler, in relation to changing the time for holding town meetings in such county." (No. 379, Int. No. 375.)

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, Charles E. Patterson, who was Speaker of the Assembly during the year 1882, has departed this life on Friday, February 21st, Mr. Patterson being an able, upright and conscientious citizen.

Resolved (if the Senate concur), That a committee of three Senators appointed by the Speaker pro tem. and five Assemblymen appointed by the Speaker of the Assembly, attend his funeral; and be it further

Resolved, That when this House adjourns it adjourns out of respect to the memory of Charles E. Patterson.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The bill (No. 474, Int. No. 469) entitled "An act to amend the Code of Criminal Procedure, in relation to docketing and enforcement of a judgment of conviction which imposes a fine," having been announced for a second reading,

On motion of Mr. Eisner, said bill was recommitted to the committee on codes, retaining its place on the order of second reading.

The bill (No. 1112, Int. No. 326) entitled "An act to amend the Highway Law, generally," having been announced for a second reading,

On motion of Mr. Evans, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1107, Int. No. 110) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally," having been announced for a second reading,

On motion of Mr. Grimme, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 640, Int. No. 620) entitled "An act to amend the Membership Corporations Law, in relation to cemetery corporations," was read the second time.

On motion of Mr. Benninger, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 924, Int. No. 881) entitled "An act to provide for existing deficit in funds available for support of the military establishment of the State, and making an appropriation therefor," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 400, Int. No. 397) entitled "An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1040, Int. No. 988) entitled "An act to amend the General Business Law, in relation to pressing and marketing hay and straw," was read the second time.

On motion of Mr. Grace, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 124, Int. No. 124) entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan crossing in Kings county," was read the second time.

On motion of Mr. Ingram, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 133, Int. No. 131) entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million," was read the second time.

On motion of Mr. Larrimer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 115, Int. No. 115) entitled "An act to repeal section three hundred and thirty-two of the Conservation Law, in relation to nets in Far Rockaway bay, Jones' inlet or adjacent waters," was read the second time.

On motion of Mr. Maloney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1031, Int. No. 602), entitled "An act to amend the Liquor Tax Law, in relation to the issuance of certificates under the provisions of subdivision two of section eight, limitation of such certificates and transfers thereof under abandonment notices," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision. The bill (No. 1135, Int. No. 1062) entitled "An act to amend the Education Law, relative to the consolidation of districts by a vote of a district meeting," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 84, Int. No. 84) entitled "An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 815, Int. No. 782) entitled "An act to provide for a public park at Lake Ronkonkoma in Suffolk county, New York, for the perpetual enjoyment of the people of the State, and to preserve it in its natural condition of scenic beauty," was read the second time.

On motion of Mr. Robinson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1051, Int. No. 999) entitled "An act in relation



to the erection of a monument to commemorate the services of Brevet-Major-General Newton Martin Curtis, and reappropriating certain money therefor," having been announced for a second reading,

On motion of Mr. Bush, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 820, Int. No. 787) entitled "An act to amend the Conservation Law, in relation to the open season for wild deer, and number to be taken," was read the second time.

On motion of Mr. Wood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1280, Int. No. 139) entitled "An act to amend chapter one hundred and thirty-two of the Laws of nineteen hundred and eleven, entitled 'An act to provide for certain improvements in the channel and banks of the Mohawk river and West Canada creek, made necessary by the building of the barge canal, and making an appropriation therefor,'" was read the second time.

On motion of Mr. Pullman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1276, Int. No. 117) entitled "An act to amend the Conservation Law, in relation to the open season for water fowl on Long Island," was read the second time.

On motion of Mr. Fallon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1347, Int. No. 541) entitled "An act to amend the Town Law, in relation to the meetings of town auditors," was read the second time.

On motion of Mr. Maloney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1268, Int. No. 311) entitled "An act to amend the Public Health Law, in relation to the registration of nurses," having been announced for a second reading,

On motion of Mr. Goldberg, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1273, Int. No. 839) entitled "An act to amend

the Greater New York charter, in relation to proceedings for street openings," was read the second time.

On motion of Mr. McMahon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1271, Int. No. 708) entitled "An act to amend the Military Law, in relation to signal corps," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1274, Int. No. 835) entitled "An act to amend the Town Law, in relation to fees of officers in criminal proceedings," was read the second time.

On motion of Mr. Gage, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1279, Int. No. 400) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jury trials in the boroughs of Queens and Richmond," was read the second time.

On motion of Mr. Benninger, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 901, Int. No. 214) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 666, Int. No. 640) entitled "An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a life saving station," having been announced for a third reading,

On motion of Mr. Kennedy, said bill was recommitted to the committee on ways and means, retaining its place on the order of third reading.

The bill (No. 789, Int. No. 36) entitled "An act making an appropriation to aid in the celebration of the One Hundredth Anniversary of the Battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," having been announced for a third reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 267, Int. No. 263) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo," having been announced,

Mr. Horton moved that said bill be recommitted to the committee on codes with instructions to report the same forthwith amended as follows:

Page 2, lines 2 and 3, strike out "So as to provide for increased salaries of said judges."

Page 2, line 3, after "service" insert in italics the following: "notwithstanding the provisions of section seventeen of chapter one hundred five of the Laws of eighteen hundred and ninety-one."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McGrath, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 927, Int. No. 884) entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same," having been announced for a third reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1164, Int. No. 251) entitled "An act to amend chapter four hundred and fifty-four of the Laws of nineteen hun-

dred and eight, entitled 'An act to incorporate the city of Oneonta,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

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NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J J	O'Brien	Taylor F J
Burr	Gallup	Kelly J D	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pemberton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1163, Int. No. 648) entitled "An act to amend chapter six hundred and ninety-six of the Laws of eighteen hundred and eighty-seven, entitled 'An act to provide hospitals, orphan asylums and other charitable institutions in the city of New York with water, and remitting assessments therefor,' in relation to exempting real estate owned or leased by a religious society and devoted to social settlement work," was read the third time, hav-

ing been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCoillum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McEllizott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Juda	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J J	O'Brien	Taylor F J
Burr	Gallup	Kelly J D	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geyer	Kennedy	Patrie	Tudor
Carroll	Geoghan	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohu	Hammer	Magae	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1162, Int. No. 764) entitled "An act to amend the Greater New York charter, in relation to the board of city record," having been announced for a third reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 207, Assembly Reprint No. 1071, Rec. No. 4) entitled "An act to amend chapter four of the Laws of

eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to exempted parts of the borough of Brooklyn, city of New York," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 126

NOES 5

Those who voted in the affirmative were:

Adler	Emden	Hover	McCue	Silverstein
Allen	Esquirol	Hughes	McDaniels	Small
Baumes	Evans	Ingram	McElligott	Smith J A
Baxter	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burr	Gage	Kelly J J	O'Brien	Taylor F J
Bush	Gallup	Kelly J D	O'Connor	Taylor T D
Butts	Garvey	Kenney	Oxford	Telford
Carroll	Geoghan	Kerrigan	Patrie	Tudor
Carver	Geyer	Kiernan	Phillips	Ulrich
Caughlan	Gibbs	Knight	Prime	Van Woert
Cole	Gillen	Knott	Pullman	Vert
Cronin	Gillett	Kornobis	Richardson	Volk
Cuvillier	Goldberg	Lane	Robinson	Walker
Daley	Grace	Larrimer	Rozan	Ward
Deitz	Greenberg A	Levy	Schaap	Webb
Dennen	Grimme	Lewis	Schifferdecker	Weil
Denney	Gurnett	Madden	Schnirel	Willard
Donohue	Hamilton	Magee	Schwarz	Willmott
Dorst	Hinman	Malone	Seely J L	Wood
Doty	Hopkins	Maloney	Seelye G T	Yard
Dox	Horton	McCollum	Shepardson	Yeomans
Edwards				

Those who voted in the negative were:

Benninger	Burden	Hammer	Kennedy	Pembleton
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1121, Int. No. 863) entitled "An act to amend section one hundred and fifty-eight of chapter one hundred and

eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the annual meeting of the common council," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J J	O'Brien	Taylor F J
Burr	Gallup	Kelly J D	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1120, Int. No. 865) entitled "An act to amend chapter seventy-five of the Laws of nineteen hundred and ten, entitled 'An act authorizing and empowering the city of Mount Vernon to acquire lands for a site and to improve the same, or a site already possessed, and to erect a municipal building or buildings

thereon, and to issue bonds for the purpose of purchasing or otherwise acquiring, improving and erecting the same,' in relation to the amount of such bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fu ler	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly P J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Cillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1116, Int. No. 593) entitled "An act to amend the Greater New York charter, in relation to plans for water fronts," having been announced,

Mr. Caughlan moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:



Page 4, at end of line 7, insert in italics "after a public hearing shall have been given by said commissioners, of which hearing and its purposes at least seven days' notice shall be published in the City Record."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1118, Int. No. 308) entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' relative to local improvements," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Pradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J J	O'Brien	Taylor F J
Burr	Gallup	Kelly J D	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schniel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hirman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1119, Int. No. 190) entitled "An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edward	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J J	O'Brien	Taylor F J
Burr	Gallup	Kelly J D	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Wood
Donohue	Hammer	Magee	Schwarz	Willmott
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 172, Int. No. 173) entitled "An act to amend the Code of Civil Procedure, in relation to notices of pendency of action," having been announced for a third reading,

On motion of Mr. Hammer, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1032, Int. No. 561) entitled "An act to authorize the city of Troy to borrow moneys and to issue bonds therefor, for the water works department of said city, and to provide for the payment of said bonds," having been announced,

Mr. Schwarz moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 3, line 23, strike out the words "five per centum" and insert "the legal rate".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1033, Int. No. 562) entitled "An act to amend the Second Class Cities Law, in relation to contracts for paving," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J J	O'Brien	Taylor F J
Burr	Gallup	Kelly J D	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk

Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1106, Int. No. 249) entitled "An act making an appropriation for surveys, field notes and manuscript maps affecting various canals and canal lands," having been announced for a third reading,

On motion of Mr. Bush, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1103, Int. No. 66) entitled "An act to amend the Code of Criminal Procedure, in relation to remissions of fine," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 128

NOES 3

Those who voted in the affirmative were:

Adler	Dox	Horton	McCollum	Silverstein
Allen	Edwards	Hover	McDaniels	Small
Baumes	Emden	Hughes	McElligott	Smith J A
Baxter	Esquirol	Ingram	McGrath	Smith T K
Benninger	Evans	Jackson	McKeon	Squire
Bovie	Fallon	Jones	McMahon	Sufrin
Bradley	Farrell	Jude	Monahan	Sutphin
Brewster	Finnigan	Kane	Norton	Sweet
Bryant	Fitzgerald	Kelly J A	O'Brien	Taylor F J
Burden	Fuller	Kelly J J	O'Connor	Taylor T D
Burr	Gage	Kenney	Oxford	Telford
Bush	Gallup	Kennedy	Patrie	Tudor
Butts	Garvey	Kerrigan	Phillips	Ulrich
Carroll	Geoghan	Kiernan	Prime	Van Woert
Carver	Geyer	Knight	Pullman	Vert
Caughlan	Gibbs	Knott	Richardson	Volk

Cole	Gillen	Kornobis	Robinson	Walker
Cronin	Gillett	Lane	Rozan	Ward
Cuvillier	Goldberg	Larrimer	Schaap	Webb
Daley	Grace	Levy	Schifferdecker	Weil
Deitz	Greenberg A	Lewis	Schnirel	Willard
Dennen	Grimme	Madden	Schwarz	Willmott
Denney	Gurnett	Magee	Seely J L	Wood
Donohue	Hamilton	Malone	Seelye G T	Yard
Dorst	Hammer	Maloney	Shepardson	Yeomans
Doty	Hopkins	McCue		

Those who voted in the negative were:

Hinman      Kelly J D      Pembleton

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Horton offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill (No. 815, Rec. No. 68) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Horton, and by unanimous consent, said bill was read the second time and ordered to a third reading.

The bill (No. 1104, Int. No. 264) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals," having been announced for a third reading,

On motion of Mr. Horton, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1108, Int. No. 455) entitled "An act to amend the Code of Criminal Procedure, in relation to compensation of attorneys in certain cases," having been announced,

Debate was had thereon, when Mr. Levy moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 87

NOES 27

Those who voted in the affirmative were:

Benninger	Esquirol	Hughes	Lewis	Small
Bovie	Fallon	Ingram	Madden	Smith T K
Brewster	Farrell	Jackson	Maloney	Squire
Burden	Finnigan	Jones	McCue	Sufrin
Burr	Fitzgerald	Jude	McDaniels	Taylor F J
Bush	Gallup	Kane	McElligott	Taylor T D
Butts	Gathright	Kelly J A	McGrath	Telford
Campbell	Geoghan	Kelly J J	McMahon	Tudor
Caughlan	Geyer	Kelly J D	Monahan	Ulrich
Cole	Gibbs	Kelly P J	Oxford	Van Woert
Cronin	Gillen	Kenney	Patrie	Walker
Deitz	Goldberg	Kennedy	Pembleton	Volk
Denney	Greenberg A	Kerrigan	Robinson	Ward
Dorst	Grimme	Kiernan	Rozan	Weil
Doty	Gurnett	Kornobis	Schwarz	Willard
Dox	Hammer	Larrimer	Seaker	Willmott
Eisner	Hearn	Levy	Silverstein	Wood
Emden	Hover			

Those who voted in the negative were:

Adler	Edwards	Horton	Phillips	Smith J A
Allen	Fuller	Machold	Prime	Smith M
Baxter	Gage	Magee	Schaap	Sweet
Bradley	Gillett	Malone	Seelye G T	Webb
Cuvillier	Hamilton	Norton	Shepardson	Yeomans
Donohue	Hinman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 397, Rec. No. 7) entitled "An act to amend the Military Law, in relation to privileges, prohibitions and penalties," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly P J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1090, Int. No. 1035) entitled "An act to amend the County Law, in relation to special deputy clerks in certain counties," having been announced,

Debate was had.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 1

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCollum	Shepardson
Allen	Edwards	Hover	McCue	Silverstein
Baumes	Emden	Hughes	McDaniels	Small
Baxter	Esquirol	Ingram	McElligott	Smith J A
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Fallon	Jones	McKeon	Squire
Bradley	Farrell	Jude	McMahon	Sufrin
Brewster	Finnigan	Kane	Monahan	Sutphin
Bryant	Fitzgerald	Kelly J A	Norton	Sweet
Burden	Fuller	Kelly J J	O'Brien	Taylor F J
Burr	Gage	Kelly J D	O'Connor	Taylor T D
Bush	Gallup	Kenney	Oxford	Telford
Butts	Garvey	Kennedy	Patrie	Tudor
Carroll	Geoghan	Kerrigan	Pembleton	Ulrich
Carver	Geyer	Kiernan	Phillips	Van Woert
Caughlan	Gibbs	Knight	Prime	Vert
Cole	Gillen	Knott	Pullman	Volk
Cronin	Gillett	Kornobis	Richardson	Walker
Cuvillier	Goldberg	Lane	Robinson	Ward
Daley	Grace	Larrimer	Rozan	Webb
Deitz	Greenberg A	Levy	Schaap	Weil
Dennen	Grimme	Lewis	Schifferdecker	Willard
Denney	Gurnett	Madden	Schnirel	Willmott
Donohue	Hamilton	Magee	Schwarz	Wood
Dorst	Hammer	Malone	Seely J L	Yard
Doty	Hinman	Maloney	Seelye G T	Yeomans

In the negative:

Horton

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 633, Int. No. 637) entitled "An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government of the territory so annexed," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufris
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J J	O'Brien	Taylor F J
Burr	Gallup	Kelly J D	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Teiford
Butts	Geyer	Kennedy	Patrie	Tudor
Carroll	Geoghan	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Wood
Donohue	Hammer	Magee	Schwarz	Willmott
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 718, Int. No. 690) entitled "An act to amend chapter one hundred and eighty-five of the Laws of eighteen hundred and forty-six, entitled 'An act authorizing the election of trustees of public lands of the town of Eastchester, and defining their duties,' in relation to the election and powers of such trustees," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J J	O'Brien	Taylor F J
Burr	Gallup	Kelly J D	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 912, Int. No. 869) entitled "An act to amend the Judiciary Law, in relation to the settlement or adjustment of certain actions in which an attorney shall have appeared," having been announced for a third reading,

On motion of Mr. Deitz, said bill was recommitted to the committee on the judiciary, retaining its place on the order of third reading.

The bill (No. 1063, Int. No. 1011) entitled "An act to amend chapter six hundred and seventy-six of the Laws of nineteen hundred and seven, entitled 'An act to authorize the extension of Riverside park, in the city of New York, by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York,' generally,"

was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Geoghan offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill (No. 310, Rec. No. 47) entitled "An act transferring from the common council of the city of Buffalo to the board of park commissioners of said city jurisdiction and control over Kenilworth avenue in said city and providing for the improvement of said avenue.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Geoghan, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Geoghan, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 223, Int. No. 220) entitled "An act transferring from the common council of the city of Buffalo to the board of park commissioners of said city jurisdiction and control over

Kenilworth avenue in said city and providing for the improvement of said avenue," having been announced for a third reading,

On motion of Mr. Geoghan, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 379, Int. No. 375) entitled "An act to legalize the acts and proceedings of the board of supervisors of the county of Schuyler, in relation to changing the time for holding town meetings in such county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McEllizott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Ma'one	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1076, Int. No. 1021) entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of

bonds in sums not exceeding in the aggregate thirty thousand dollars for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKee	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Madden offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill (No. 297, Rec. No. 38) entitled 'An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to

supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,' in relation to pensions for certain retired employees of such city."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Madden, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Madden, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 403, Int. No. 401) entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,' in relation to pensions for certain retired employees of such city," having been announced for a third reading,

On motion of Mr. Madden, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 631, Int. No. 611) entitled "An act to amend the Town Law, in relation to the qualification of voters," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				



Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 650, Int. No. 630) entitled "An act to amend the Highway Law, by adding a new section, to be known as section one hundred and forty-two-a, in relation to the cost of improvement of such highways between the rails and tracks and outside thereof of street surface railroads in villages and in cities of the second and third classes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillie	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 750, Int. No. 722) entitled "An act restricting the filing and effect of certain maps of lands in and near the city

of Syracuse, unless such maps are approved by the city engineer of the city of Syracuse," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElhgott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly P J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 755, Int. No. 727) entitled "An act in relation to the acceptance by dedication of streets, highways and alleys in the city of Syracuse," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaa	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 971, Int. No. 927) entitled "An act to amend the County Law, in relation to the powers and duties of assistants to clerks in certain counties," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 560, Int. No. 546) entitled "An act authorizing the town board of the town of Mooers, Clinton County, to convey lands for cemetery purposes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K

Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deits	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 473, Int. No. 468) entitled "An act to amend the Greater New York charter, in relation to the municipal explosives commission and to the powers, duties and regulations thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 560, Int. No. 546) entitled "An act authorizing the town board of the town of Mooers, Clinton County, to convey lands for cemetery purposes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K

Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 473, Int. No. 468) entitled "An act to amend the Greater New York charter, in relation to the municipal explosives commission and to the powers, duties and regulations thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich

Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A message was received from the Senate, in the words following:

IN SENATE, *February* 20, 1912.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 276, Assembly Reprint No. 877, Rec. No. 12) entitled "An act to authorize the grant and conveyance by the Commissioners of the Land Office of lands under water to the city of Buffalo, and to prohibit corporations from acquiring such lands by condemnation."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Malone, and by unanimous consent, the same was amended as follows:

Page 2, line 5 after "Buffalo" and before the ensuing period insert the following: "saving and excepting from the above described premises, however, all that tract or parcel of land under water situate in the city of Buffalo, county of Erie and State of New York, more particularly described as a plot of land covered with water, beginning at the intersection of the easterly line of Black Rock harbor as established by the United States, and the northerly line of lands heretofore owned by Henry Koons, as granted to him by chapter three hundred and forty-three of the Laws of eighteen hundred and ninety-four; thence northerly along the said harbor line four hundred and fifty feet (450'); thence easterly and parallel with the lands of the said Koons three hundred and fifty feet (350'); thence southerly and parallel to said harbor line four hundred and fifty feet (450') to the northerly line of said lands of Koons; thence westerly along the northerly line of said lands of Koons three hundred and fifty feet (350') to the point of beginning."

Said bill, as amended, was reprinted, re-engrossed, and, having



been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

PATRICK E. McCABE,

*Clerk.*

Said bill having been announced, Mr. Rozen moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined

in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 00

Those who voted in the affirmative were:

Adler	Edwards	Horton	McCollum	Shepardson
Allen	Emden	Hover	McCue	Silverstein
Baumes	Esquirol	Hughes	McDaniels	Small
Baxter	Evans	Ingram	McElligott	Smith J A
Benninger	Fallon	Jackson	McGrath	Smith T K
Bovie	Farrell	Jones	McKeon	Squire
Bradley	Finnigan	Jude	McMahon	Sufrin
Brewster	Fitzgerald	Kane	Monahan	Sutphin
Bryant	Fuller	Kelly J A	Norton	Sweet
Burden	Gage	Kelly J D	O'Brien	Taylor F J
Burr	Gallup	Kelly J J	O'Connor	Taylor T D
Bush	Garvey	Kenney	Oxford	Telford
Butts	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Carver	Gibbs	Kiernan	Phillips	Van Woert
Caughlan	Gillen	Knight	Prime	Vert
Cole	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Levy	Schaap	Weil
Dennen	Gurnett	Lewis	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hinman	Malone	Seely J L	Yard
Doty	Hopkins	Maloney	Seelye G T	Yeomans
Dox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same.

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a joint legislative committee composed of six members, three of whom shall be appointed by the Speaker of the Assembly and three by the President pro tem. of the Senate, be appointed to investigate and to report to the Legislature on or before March twentieth with respect to such semi-private charitable institutions which have secured exemption from taxation on the ground that they are almshouses but which in reality appear to be in the nature of business enterprises, and also with respect to such private charitable corporations as seek to provide relief for widows with dependent children in the city of New York or elsewhere in this

State, or which place children in families, with respect to their general work and operations; and further

Resolved, That the committee be empowered to employ counsel, appoint a secretary and such other employees as may be necessary, and that the sum of five thousand dollars be appropriated to pay the necessary expenses.

which was referred to the committee on ways and means.

On motion of Mr. Madden, the consideration of his resolution in relation to the appointment of a joint committee to investigate Bloomingdale Hospital, heretofore set down for this day, was postponed until Tuesday next.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 109, Int. No. 109) entitled "An act to amend the Village Law, in relation to collectors and village engineers in villages of the first class," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution in relation to the death of Charles E. Patterson, with a message that they have concurred in the passage of the same without amendment.

The members of the committee on privileges and elections was excused for the week.

Mr. Sullivan of Chautauqua was excused on account of illness.

On motion of Mr. Levy, the House adjourned.

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## TUESDAY, FEBRUARY 25, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Leitzell.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Cuvillier introduced a bill entitled "An act designating the thirteenth day of April of each year as a public holiday to be known as Thomas Jefferson's day" (Int. No. 1308), which was read the first time and referred to the committee on the judiciary.

Mr. Donohue introduced a bill entitled "An act to amend the Greater New York charter, in relation to tax liens" (Int. No. 1309), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to districts in which certain causes may be tried" (Int. No. 1310), which was read the first time and referred to the committee on codes.

Also, "An act to amend section seventeen of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' as amended by chapter six hundred and three of the Laws of nineteen hundred and seven, in relation to hour for opening of court" (Int. No. 1311), which was read the first time and referred to the committee on codes.

Mr. Doty introduced a bill entitled "An act to amend the Conservation Law, in relation to the taking of hares and rabbits" (Int. No. 1312), which was read the first time and referred to the committee on conservation.

Mr. Gillen introduced a bill entitled "An act to amend the Poor Law, in relation to the support of poor children of a widowed mother" (Int. No. 1313), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Liquor Law, in relation to amount of liquor tax for hotel licenses" (Int. No. 1314), which was read the first time and referred to the committee on excise.

Mr. Lewis introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to limitation of time to enforce a cause of action arising in another State" (Int. No. 1315), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the Board of Claims" (Int. No. 1316), which was read the first time and referred to the committee on codes.

Mr. Larrimer introduced a bill entitled "An act to amend the General Municipal Law, in relation to the leasing of public buildings of a municipality" (Int. No. 1317), which was read the first time and referred to the committee on affairs of cities.

Mr. J. D. Kelly introduced a bill entitled "An act in relation to the services of retired judges of the Court of Appeals as official referees" (Int. No. 1318), which was read the first time and referred to the committee on the judiciary.

Mr. Phillips introduced a bill entitled "An act to authorize the corporation known as Christ Church, Rochester, to take and hold real and personal property, as an endowment fund, and to restrict the use and investment of the same" (Int. No. 1319), which was read the first time and referred to the committee on the judiciary.

Mr. Robinson introduced a bill entitled "An act to amend the Conservation Law, in relation to jurisdiction of commission" (Int. No. 1320), which was read the first time and referred to the committee on conservation.

Also, "An act in relation to shellfish, constituting chapter sixty-six of the Consolidated Laws" (Int. No. 1321), which was read the first time and referred to the committee on conservation.

Mr. Sufrin introduced a bill entitled "An act to amend the Personal Property Law, in relation to conditional sale contracts in cities of the first class" (Int. No. 1322), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the General Business Law, in relation to private bankers" (Int. No. 1323), which was read the first time and referred to the committee on general laws.

Also "An act to amend the General Business Law, in relation to steamship tickets" (Int. No. 1324), which was read the first time and referred to the committee on general laws.

Mr. Schwarz introduced a bill entitled "An act to increase the number of justices of the Supreme Court in the third judicial district of the state, and to provide an additional justice therein" (Int. No. 1325), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend section fourteen of title four, of chapter six hundred seventy of the Laws of eighteen hundred ninety-

two, entitled 'An act to amend chapter five hundred and ninety-eight of the Laws of eighteen hundred and seventy, entitled "An act to amend an act to incorporate the city of Troy, passed April twelfth, eighteen hundred and sixteen, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy," and the acts amendatory of said chapter five hundred and ninety-eight, and to consolidate into one act several of the acts amending the charter of and other acts relating to the city of Troy and its departments, and to the inferior local courts therein,' and the acts amendatory thereof and supplementary thereto relating to the city of Troy, in relation to assessment bonds" (Int. No. 1326), which was read the first time and referred to the committee on affairs of cities.

Mr. T. D. Taylor introduced a bill entitled "An act to amend the Highway Law, in relation to the construction and maintenance of town bridges, having a span of forty feet or more, as part of the State and county highway system" (Int. No. 1327), which was read the first time and referred to the committee on internal affairs.

Also, "An act abolishing the office of commissioner of jurors of the county of Rensselaer, and conferring his powers and duties on the county clerk of such county" (Int. No. 1328), which was read the first time and referred to the committee on the judiciary.

Mr. Weil introduced a bill entitled "An act to amend the Tax Law, in relation to the tax on mortgages" (Int. No. 1329), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Vert introduced a bill entitled "An act to amend the Penal Law, in relation to transporting animals without unloading" (Int. No. 1330), which was read the first time and referred to the committee on codes.

Mr. Cuvillier introduced a bill entitled "An act to provide for a monument in the city of New York to commemorate the deeds of the soldiers of the Sixty-third, Sixty-ninth and Eighty-ninth Regiments of New York Volunteer Infantry, Meagher's Irish Brigade, which served in the War of the Rebellion from eighteen hundred and sixty-one to eighteen hundred and sixty-five, and to

make an appropriation therefor" (Int. No. 1331), which was read the first time and referred to the committee on ways and means.

Mr. Oxford introduced a bill entitled "An act to amend the Greater New York charter, in relation to hostlers in the police department" (Int. No. 1332), which was read the first time and referred to the committee on affairs of cities.

Mr. O'Brien introduced a bill entitled "An act to amend chapter six hundred and sixty-six of the Laws of nineteen hundred and eleven, entitled 'An act to create a police pension fund for disabled and retired policemen and their widows and orphans in the village of White Plains,' in relation to moneys constituting such fund" (Int. No. 1333), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend the Real Property Law, in relation to excepting certain lands from exemptions of cemeteries from taxation" (Int. No. 1334), which was read the first time and referred to the committee on the judiciary.

Mr. Yard, by request, introduced a bill entitled "An act to amend the Judiciary Law, in relation to stenographers of courts" (Int. No. 1335), which was read the first time and referred to the committee on the judiciary.

Mr. Norton introduced a bill entitled "An act to amend the Judiciary Law, in relation to the places of holding the trial terms of the Supreme Court in the county of Washington" (Int. No. 1336), which was read the first time and referred to the committee on the judiciary.

Mr. Tudor introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to quotation of rates by common carriers" (Int. No. 1337), which was read the first time and referred to the committee on railroads.

Mr. Bovie introduced a bill entitled "An act to amend the County Law, in relation to the election of public defenders" (Int. No. 1338), which was read the first time and referred to the committee on internal affairs.

Mr. Yale introduced a bill entitled "An act to amend chapter one hundred and thirty-eight of the Laws of eighteen hundred and fifty-eight, entitled 'An act to amend an act entitled "An act

to authorize the improving and keeping in repair a certain highway, in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair," passed March twenty-fourth, eighteen hundred and fifty-seven,' in relation to the amount to be raised annually for the maintenance therefor" (Int. No. 1339), which was read the first time and referred to the committee on internal affairs.

Mr. Grimme introduced a bill entitled "An act to amend chapter one hundred and seven of the Laws of eighteen hundred and eighty-seven, entitled 'An act to incorporate the Nyack fire department, and to exempt its property from taxation,' in relation to the funds of such department and the distribution thereof' (Int. No. 1340), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend chapter two hundred and sixty-five of the Laws of nineteen hundred and five, entitled 'An act to make the office of sheriff of Rockland county a salaried office, and to regulate the management of said office,' in relation to salaries, allowances and expenses in such office" (Int. No. 1341), which was read the first time and referred to the committee on internal affairs.

Mr. Geoghan introduced a bill entitled "An act to amend the Insurance Law, in relation to requiring persons engaged in the use of explosives to procure certificates of fitness from the State Fire Marshal" (Int. No. 1342), which was read the first time and referred to the committee on insurance.

By unanimous consent, Mr. Kennedy introduced a bill entitled "An act to amend the Greater New York charter, in relation to providing for a relief and pension fund for the benefit of the members of the clerical, mechanical and uniform force of the bureau of street cleaning of the borough of Queens" (Int. No. 1343), which was read the first time and referred to the committee on affairs of cities.

Mr. Madden called up his resolution in relation to the appointment of a joint committee to investigate Bloomingdale Hospital, consideration of which was set down for this day.

Mr. Speaker put the question whether the House would agree



to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 86

NOES 25

Those who voted in the affirmative were:

Benninger	Doty	Hearn	Lewis	Schifferdecker
Bovie	Dox	Heyman	Madden	Schwarz
Brewster	Eisner	Hover	Maloney	Seely J L
Burden	Emden	Hughes	McCollum	Silverstein
Burr	Esquirol	Ingram	McCue	Small
Bush	Evans	Jackson	McDaniels	Squire
Butts	Farrell	Kane	McElligott	Taylor F J
Campbell	Fitzgerald	Kelly J A	McGrath	Taylor T D
Carroll	Gathright	Kelly J J	McKeon	Telford
Carver	Geoghan	Kelly J D	McMahon	Ulrich
Caughlan	Geyer	Kenney	Monahan	Van Woert
Cole	Gibbs	Kerrigan	O'Brien	Walker
Cronin	Gillen	Kiernan	Oxford	Ward
Cuvillier	Goldberg	Knott	Patrie	Weil
Daley	Grimme	Kornobis	Pullman	Willard
Dennen	Gurnett	Larrimer	Robinson	Willmott
Donohue	Hammer	Levy	Rozan	Yard
Dorst				

Those who voted in the negative were:

Baumes	Edwards	Horton	Richardson	Vert
Baxter	Gage	Machold	Seelye G T	Webb
Bradley	Gillett	Magee	Shepardson	Wood
Brereton	Grace	Norton	Smith J A	Yale
Bryant	Hinman	Pembleton	Sweet	Yeomans

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the compensation and lien of attorneys and counsellors in said court." (No. 1373, Int. No. 169.)

"An act to amend the Penal Law, in relation to trade marks." (No. 1374, Int. No. 714.)

"An act to amend the Education Law, relative to the powers of voters of school districts, and extending the use of school buildings." (No. 1375, Int. No. 1061.)

"An act to amend the Agricultural Law, in relation to commercial fertilizer." (No. 1376, Int. No. 910.)

"An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' generally, and abolishing the office of ward collector." (No. 1343, Int. No. 457.)

"An act to amend the Liquor Tax Law, in relation to the issuance of certificates under the provisions of subdivision two of section eight, limitation of such certificates and transfers thereof under abandonment notices." (No. 1131, Int. No. 602.)

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on banks be discharged from the further consideration of Assembly bill (No. 584, Int. No. 570) entitled "An act to amend chapter ten of the Laws of nineteen hundred and nine and the acts amendatory thereto, known as the Banking Law, creating a new article known as article nine-a of the Banking Law, relative to the incorporation of stock exchanges, their supervision by the Banking Department, the licensing of stock brokers, and the law regulating the buying and selling of stocks and bonds," and that said bill be referred to the committee on codes.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 381, Int. No. 377) entitled "An act to amend the Second Class Cities Law, relative to designation of official papers," was read the second time.

On motion of Mr. Kerrigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 400, Int. No. 397) entitled "An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served," having been announced for a third reading.

On motion of Mr. Eisner, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1268, Int. No. 311) entitled "An act to amend the Public Health Law, in relation to the registration of nurses," was read the second time.

On motion of Mr. Goldberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1162, Int. No. 764) entitled "An act to amend the Greater New York charter, in relation to the board of City Record," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Milone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 172, Int. No. 173) entitled "An act to amend the Code of Civil Procedure, in relation to notices of pendency of action," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 2

Those who voted in the affirmative were:

Adler	Dox	Hopkins	Maloney	Silverstein
Allen	Edwards	Horton	McCollum	Small
Baumes	Eisner	Hover	McCue	Smith J A
Baxter	Emden	Hughes	McDaniels	Smith M
Benninger	Esquirol	Ingram	McElligott	Smith T K
Bovie	Evans	Jackson	McGrath	Squire
Bradley	Fallon	Jones	McKee	Sufrin
Brereton	Finnigan	Jude	McKeon	Sutphin
Brewster	Fitzgerald	Kane	McMahon	Sweet
Bryant	Fuller	Kelly J A	Monahan	Tallett
Burden	Gage	Kelly J J	Norton	Taylor F J
Burr	Gallup	Kelly J D	Oxford	Taylor T D
Bush	Garvey	Kelly P J	Pappert	Telford
Butts	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kerrigan	Pembleton	Ulrich
Carroll	Geyer	Kiernan	Phillips	Van Woert
Carver	Gibbs	Knight	Prime	Vert
Caughlan	Gillen	Knott	Pullman	Walker
Cole	Gillett	Kornobis	Richardson	Ward
Cronin	Goldberg	Larrimer	Robinson	Webb
Daley	Grace	Levy	Rozan	Weil
Deitz	Greenberg A	Lewis	Schaap	Willmott
Dennen	Grimme	Macdonald	Schnirel	Wood
Dennen	Gurnett	Madden	Schwarz	Yale
Donohue	Hamilton	Magee	Seelye G T	Yard
Dorst	Hammer	Malone	Shepardson	Yeomans
Doty				

Those who voted in the negative were:

Cuvillier      Hinman

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 789, Int. No. 36) entitled "An act making an appropriation to aid in the celebration of the One Hundredth Anniversary of the Battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," having been announced for a third reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 815, Rec. No. 68) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals," having been announced for a third reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 580, Int. No. 566) entitled "An act to amend the Education Law, in relation to the construction and operation of water-works and sewer systems by incorporated colleges," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 734, Int. No. 706) entitled "An act making an appropriation in accordance with chapter two hundred and twenty-seven of the Laws of nineteen hundred and twelve, to provide for the celebration of the Fiftieth Anniversary of the Battle of Gettysburg," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 639, Int. No. 619) entitled "An act to amend the Conservation Law, in relation to fishing through the ice in Lake George," was read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seely J L	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1035, Int. No. 983) entitled "An act to amend the Town Law, in relation to certain town expenses and liabilities and providing funds for paying the same," having been announced for a third reading,

On motion of Mr. Butts, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 841, Int. No. 799) entitled "An act to amend the Village Law, in relation to notice of completion of annual assessment-roll," was read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Snell
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bowie	Esquirol	Ing' m	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jud	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
De tz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimm	Macdonald	Schwarz	Yale
Denn y	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Sh pardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 840, Int. No. 798) entitled "An act to amend the Village Law, in relation to street improvement," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 829, Int. No. 796) entitled "An act to amend the Village Law, in relation to the compensation of collectors," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire

Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillett	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deits	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammel	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1234, Int. No. 395) entitled "An act to establish a pension fund for the paid officers and members of the fire department of the city of New Rochelle," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich

Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 955 Int. No. 911) entitled "An act to amend the Agricultural Law, in relation to concentrated commercial feeding stuffs," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 3

Those who voted in the affirmative were:

Adler	Dox	Hinman	Malone	Silverstein
Allen	Edwards	Hopkins	Maloney	Small
Baumes	Eisner	Horton	McCollum	Smith J A
Baxter	Emden	Hover	McCue	Smith M
Benninger	Esquirol	Hughes	McDaniels	Smith T K
Bovie	Evans	Ingram	McElligott	Squire
Brereton	Fallon	Jackson	McGrath	Sufrin
Brewster	Finnigan	Jones	McKee	Sutphin
Bryant	Fitzgerald	Jude	McKeon	Sweet
Burden	Fuller	Kane	McMahon	Tallett
Burr	Gage	Kelly J A	Monahan	Taylor F J
Bush	Gallup	Kelly J J	Norton	Taylor T D
Butts	Garvey	Kelly J D	Oxford	Telford
Campbell	Gathright	Kelly P J	Pappert	Tudor
Carroll	Geoghan	Kenney	Patrie	Ulrich
Carver	Geyer	Kerrigan	Phillips	Van Woert
Caughlan	Gibbs	Kiernan	Prime	Vert
Cole	Gillen	Knight	Pullman	Walker
Cronin	Gillett	Knott	Richardson	Ward
Cuvillier	Goldberg	Kornobis	Robinson	Webb
Daley	Grace	Larrimer	Rozan	Weil
Deitz	Greenberg A	Levy	Schaap	Willmott
Dennen	Grimme	Lewis	Schnirel	Wood
Denney	Gurnett	Macdonald	Schwarz	Yale
Donohue	Hamilton	Madden	Seelye G T	Yard
Dorst	Hammer	Magee	Shepardson	Yeomans
Doty				

Those who voted in the negative were:

Bradley            Machold            Pembleton

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1233, Int. No. 430) entitled "An act to amend the State Charities Law, in relation to quarterly estimates of expenses; contingent fund," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 176, Int. No. 172) entitled "An act to provide for the deepening of the channel of Ellicott creek from the Erie

canal to the city line of the city of Tonawanda, and for the repair of the bridges crossing the same, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 899, Int. No. 857) entitled "An act to amend the Code of Civil Procedure, in relation to preference in applications for letters of administration," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Those who voted in the negative were:

Bradley            Machold            Pembleton

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1233, Int. No. 430) entitled "An act to amend the State Charities Law, in relation to quarterly estimates of expenses; contingent fund," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 176, Int. No. 172) entitled "An act to provide for the deepening of the channel of Ellicott creek from the Erie

canal to the city line of the city of Tonawanda, and for the repair of the bridges crossing the same, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 899, Int. No. 857) entitled "An act to amend the Code of Civil Procedure, in relation to preference in applications for letters of administration," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1231, Int. No. 575) entitled "An act to amend the Greater New York charter, in relation to the duties and powers of the department of taxes and assessments," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	K nney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deits	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dost	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1232, Int. No. 503) entitled "An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights, constituting chapter six of the Consolidated Laws,' having been announced,

Mr. Brewster moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 2, line 16, strike out the word "color".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Vert moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

On page 3, line 4, after the word "hall" insert the following: "Nothing herein contained shall be construed to prohibit the mailing of a private communication in writing sent in response to a specific written inquiry,".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McGrath, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 743, Int. No. 715) entitled "An act to authorize appeals in certain proceedings brought by the city of New York for acquiring property in the borough of Manhattan, city of New York, for bridge purposes," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1001, Int. No. 955) entitled "An act to amend the Code of Civil Procedure, in relation to the removal of causes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Fitzgerald	Jude	McMahon	Sweet
Bryant	Finnigan	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb

Cuvillier	Goldberg	Larrimer	Rosan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 200, Int. No. 197) entitled "An act to amend the Code of Civil Procedure, in relation to undertakings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rosan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 348, Int. No. 344) entitled "An act to amend the Code of Civil Procedure, in relation to the filing of all papers in each action or proceeding in the same file, or bundle, and relative to the record on appeals to the Court of Appeals," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	Oxford	Taylor T D
Bush	Gallup	Kelly J J	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 646, Int. No. 626) entitled "An act to amend the Real Property Law, in relation to creation and division of estates," having been announced for a third reading,

On motion of Mr. McGrath, and by unanimous consent, said

bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 995, Int. No. 949) entitled "An act to amend the Code of Civil Procedure, in relation to the vacation of judgments and the removal of causes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J D	Oxford	Taylor T D
Bush	Gallup	Kelly J J	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 138, Int. No. 136) entitled "An act to release the interest of the State of New York in the property and estate of Margaret E. Tompkins, deceased, to the heirs and next of kin of Noah D. Tompkins, deceased," was read the third time, having

been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 884, Int. No. 842) entitled "An act to amend the Conservation Law, in relation to the sale of trout raised in private hatcheries," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Dorohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 636, Int. No. 616) entitled "An act to amend the Liquor Tax Law, in relation to places in which traffic in liquor shall not be permitted," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 78

NOES 32

Those who voted in the affirmative were:

Benninger	Emden	Jackson	McCollum	Schifferdecker
Bovie	Esquirol	Jones	McCue	Schwarz
Burden	Farrell	Kane	McDaniels	Silverstein
Burr	Fitzgerald	Kelly J A	McElligott	Small

Bush	Geoghan	Kelly J J	McGrath	Smith T K
Butts	Geyer	Kelly J D	McKeon	Sufrin
Campbell	Gibbs	Kenney	McMahon	Taylor F J
Carroll	Goldberg	Kerrigan	Monahan	Ulrich
Carver	Grimme	Kiernan	O'Brien	Van Woert
Caughlan	Gurnett	Knott	Oxford	Walker
Cronin	Hammer	Kornobis	Pappert	Ward
Cuvillier	Hearn	Larrimer	Pullman	Weil
Donohue	Heyman	Levy	Robinson	Willard
Dorst	Hover	Lewis	Rozan	Willmott
Doty	Hughes	Madden	Schaap	Yard
Eisner	Ingram	Malone		

78

Those who voted in the negative were:

Baumes	Dox	Horton	Richardson	Sweet
Baxter	Edwards	Machold	Seely J L	Telford
Bradley	Gage	Magee	Seelye G T	Vert
Brereton	Gathright	Norton	Shepardson	Webb
Brewster	Gillett	Patrie	Smith J A	Wood
Bryant	Grace	Pembleton	Squire	Yeomans
Cole	Hinman			

32

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 284, Int. No. 280) entitled "An act to amend the Code of Civil Procedure, in relation to the powers of the surrogate respecting the construction or effect of dispositions of property by will," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor



Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1010, Int. No. 964) entitled "An act to amend chapter six hundred and sixty-seven of the Laws of nineteen hundred and ten, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining,' in relation to sewer assessment bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J
Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil

Daley	Grace	Levy	Schaap	Willmott
Deits	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwars	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,  
ALBANY, *February* 21, 1913.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 285, Int. No. 281) entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose."

WILLIAM SULZER.

Said bill having been announced,

Mr. Yard moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 00

Those who voted in the affirmative were:

Adler	Doty	Hinman	Maloney	Silverstein
Allen	Dox	Hopkins	McCollum	Small
Baumes	Edwards	Horton	McCue	Smith J A
Baxter	Eisner	Hover	McDaniels	Smith M
Benninger	Emden	Hughes	McElligott	Smith T K
Bovie	Esquirol	Ingram	McGrath	Squire
Bradley	Evans	Jackson	McKee	Sufrin
Brereton	Fallon	Jones	McKeon	Sutphin
Brewster	Finnigan	Jude	McMahon	Sweet
Bryant	Fitzgerald	Kane	Monahan	Tallett
Burden	Fuller	Kelly J A	Norton	Taylor F J

Burr	Gage	Kelly J J	Oxford	Taylor T D
Bush	Gallup	Kelly J D	Pappert	Telford
Butts	Garvey	Kelly P J	Patrie	Tudor
Campbell	Gathright	Kenney	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Geyer	Kiernan	Prime	Vert
Caughlan	Gibbs	Knight	Pullman	Walker
Cole	Gillen	Knott	Richardson	Ward
Cronin	Gillett	Kornobis	Robinson	Webb
Cuvillier	Goldberg	Larrimer	Rozan	Weil
Daley	Grace	Levy	Schaap	Willmott
Deitz	Greenberg A	Lewis	Schnirel	Wood
Dennen	Grimme	Macdonald	Schwarz	Yale
Denney	Gurnett	Madden	Seelye G T	Yard
Donohue	Hamilton	Magee	Shepardson	Yeomans
Dorst	Hammer	Malone		

Mr. Yard moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith amended as follows:

Line 2, after comma, insert "to submit to the electors of such village at a special election, called and held in the same manner as an annual village election in such village, a proposition."

Line 7, after word "street" strike out semi-colon and insert period and following: "If such proposition be adopted by a majority vote of the electors voting thereon, the board of trustees may cause such bonds to be issued accordingly."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Butts, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Pursuant to concurrent resolution, Mr. Speaker announced the following a committee on the part of the Assembly to attend the funeral of the late Charles E. Patterson: Schwarz of Rensselaer, Taylor of Rensselaer, Cuvillier of New York, Squires of Schenectady, Baxter of Albany.

Mr. Edwards of Broome was excused for the balance of the week.

On motion of Mr. Levy, the House adjourned.

WEDNESDAY, FEBRUARY 26, 1913.

The House met pursuant to adjournment.

Prayer by Rev. W. T. Bazaar.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

“An act to amend the Insurance Law, in relation to forms of policies or certificates of casualty insurance corporations upon the co-operative or assessment plan” (No. 467, Rec. No. 78), which was read the first time and referred to the committee on insurance.

“An act to amend the Insurance Law, in relation to misrepresentations by certain insurance corporations” (No. 654, Rec. No. 79), which was read the first time and referred to the committee on insurance.

“An act to amend the Insurance Law, in relation to survival of indemnity, reinsurance and co-insurance in receiver and Superintendent of Insurance upon dissolution of insurance corporations” (No. 468, Rec. No. 80), which was read the first time and referred to the committee on insurance.

“An act to amend the Insurance Law, in relation to standard provisions for accident and health policies and discriminations” (No. 704, Rec. No. 81), which was read the first time and referred to the committee on insurance.

“An act to amend the Penal Law, in relation to acting for foreign insurance corporation which has not designated Superintendent of Insurance as attorney” (No. 231, Rec. No. 82), which was read the first time and referred to the committee on insurance.

Mr. Bradley, by request, introduced a bill entitled “An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled ‘An act to revise and consolidate the several acts relative to the city of Niagara Falls,’ as amended, by providing for greater duties and powers of the board of grade crossing commissioners of said city” (Int. No. 1344), which was read the first time and referred to the committee on affairs of cities.

Mr. Baxter introduced a bill entitled “An act to provide for the

improvement and repair of the dike across the fourth branch of the Mohawk river, between the city of Cohoes and the village of Green Island, Albany county, New York, and making an appropriation therefor " (Int. No. 1345), which was read the first time and referred to the committee on ways and means.

Mr. Burr introduced a bill entitled "An act to amend the Judiciary Law, in relation to certain books and papers that may be destroyed " (Int. No. 1346), which was read the first time and referred to the committee on the judiciary.

Mr. Butts introduced a bill entitled "An act to amend chapter two hundred and nineteen of the Laws of nineteen hundred and nine, entitled 'An act in relation to transportation corporations excepting railroads, constituting chapter sixty-three of the Consolidated Laws,' in relation to electric light, heat and power companies " (Int. No. 1347), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the formation of associations by squadrons and troops " (Int. No. 1348), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to armory employees " (Int. No. 1349), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to uniforms " (Int. No. 1350), which was read the first time and referred to the committee on military affairs.

Mr. Carver introduced a bill entitled "An act to amend the Poor Law, in relation to the relief of women nurses who served in the War of the Rebellion, the Spanish-American War or the War of the Phillippine Insurrection " (Int. No. 1351), which was read the first time and referred to the committee on military affairs.

Mr. Daley introduced a bill entitled "An act to amend the Labor Law, in relation to hours of labor in mercantile establishments " (Int. No. 1352), which was read the first time and referred to the committee on labor and industries.

Mr. Fallon introduced a bill entitled "An act to provide for the building of a bridge across Shelter Island sound between the towns

of Shelter Island and Southold, in the county of Suffolk, and making an appropriation therefor" (Int. No. 1353), which was read the first time and referred to the committee on ways and means.

Mr. Fitzgerald introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to the regulation and supervision of water supply companies, and making an appropriation therefor" (Int. No. 1354), which was read the first time and referred to the committee on ways and means.

Mr. Garvey introduced a bill entitled "An act to amend the General Construction Law, in relation to making the date of Jefferson's birthday a holiday" (Int. No. 1355), which was read the first time and referred to the committee on the judiciary.

Mr. Gillen introduced a bill entitled "An act to extend the time for filing claims with the board of assessors of the city of New York for damages sustained by owners of real property fronting upon streets approaching the Manhattan bridge over the East river in said city" (Int. No. 1356), which was read the first time and referred to the committee on affairs of cities.

Mr. Gibbs introduced a bill entitled "An act in relation to the court of general sessions of the county of New York" (Int. No. 1357), which was read the first time and referred to the committee on the judiciary.

Mr. Goldberg introduced a bill entitled "An act to amend the Education Law, in relation to establishing a State Veterinary College at New York University in the city of New York" (Int. No. 1358), which was read the first time and referred to the committee on ways and means.

Mr. Hammer introduced a bill entitled "An act to provide for the construction and maintenance of an escalator at Eighth avenue and One Hundred and Fifty-fifth street, at the viaduct on central bridge, in the city of New York" (Int. No. 1359), which was read the first time and referred to the committee on affairs of cities.

Mr. Hammer introduced a bill entitled "An act to amend the Greater New York charter, with respect to the construction of tunnels and shafts and the erection, installation and operation of elevators and escalators connecting public streets and places"

(Int. No. 1360), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to amend the General City Law, in relation to promoting the health and efficiency of policemen in cities of the third class by fixing their tours of duty" (Int. No. 1361), which was read the first time and referred to the committee on affairs of cities.

Mr. Kerrigan introduced a bill entitled "An act to amend the Domestic Relations Law, in relation to filing papers" (Int. No. 1362), which was read the first time and referred to the committee on general laws.

Mr. McMahon introduced a bill entitled "An act to amend the Penal Law, in relation to Sunday baseball" (Int. No. 1363), which was read the first time and referred to the committee on codes.

Mr. Pembleton introduced a bill entitled "An act to amend chapter three hundred and nine of the Laws of eighteen hundred and sixty-four, entitled 'An act to consolidate the several school districts within the corporate limits of the village of Owego, and to establish free schools in the same,' in relation to the election of school commissioners" (Int. No. 1364), which was read the first time and referred to the committee on public education.

Mr. Rozan introduced a bill entitled "An act amending the Poor Law, in relation to the relief of 'destitute mothers' and their children at the expense of the State" (Int. No. 1365), which was read the first time and referred to the committee on ways and means.

Mr. Silverstein introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to appeals" (Int. No. 1366), which was read the first time and referred to the committee on codes.

Mr. J. L. Seely introduced a bill entitled "An act to amend the Greater New York charter, in relation to the publication of reports and statistics" (Int. No. 1367), which was read the first time and referred to the committee on affairs of cities.

Mr. Tudor introduced a bill entitled "An act to repeal section forty-nine of the Legislative Law, relating to the forwarding by the Secretary of State of slips of Session Laws to county clerks"

(Int. No. 1368), which was read the first time and referred to the committee on the judiciary.

Also, "An act authorizing the fire commissioner of the city of New York to retire, with pay, employees in the division of combustibles of the bureau of fire prevention injured while engaged in the actual performance of duty" (Int. No. 1369), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act authorizing the Superintendent of Insurance to prepare a revision of the Insurance Law, and making an appropriation therefor" (Int. No. 1370), which was read the first time and referred to the committee on ways and means.

Mr. Yard introduced a bill entitled "An act to amend the Tax Law, in relation to property exempt from taxation" (Int. No. 1371), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to declare and prescribe the effect of general statutes relating to taxation upon various local acts governing taxation in the county of Westchester, and to legalize certain acts and proceedings heretofore taken in such county relating to taxation" (Int. No. 1372), which was read the first time and referred to the committee on the judiciary.

Mr. Schifferdecker introduced a bill entitled "An act to amend the Greater New York charter, in relation to the registration of births not previously recorded" (Int. No. 1373), which was read the first time and referred to the committee on affairs of cities.

Mr. Schaap introduced a bill entitled "An act to amend the Stock Corporation Law, in relation to filing the names of officers and directors and their residences" (Int. No. 1374), which was read the first time and referred to the committee on the judiciary.

Mr. Geyer introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to fixing the amount of costs" (Int. No. 1375), which was read the first time and referred to the committee on codes.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to the assessment of



benefits " (Int. No. 1376), which was read the first time and referred to the committee on cities.

Also, "An act to amend the Executive Law, in relation to the powers and duties of notary public " (Int. No. 1377), which was read the first time and referred to the committee on the judiciary.

Mr. Bovie introduced a bill entitled "An act to provide a new charter for the city of Mount Vernon " (Int. No. 1378), which was read the first time and referred to the committee on affairs of cities.

Mr. Kenney introduced a bill entitled "An act to amend the General Construction Law, in relation to the definition of folio " (Int. No. 1379), which was read the first time and referred to the committee on the judiciary.

Also, "An act conferring jurisdiction on the Board of Claims to hear, audit and determine claims of ferry owners injured by the erection and maintenance of bridges continuing State highways over creeks at or near the location of such ferries " (Int. No. 1380), which was read the first time and referred to the committee on claims.

Mr. Doty introduced a bill entitled "An act for the relief of Edward L. Gayton, a former member of the National Guard of this State " (Int. No. 1381), which was read the first time and referred to the committee on the judiciary.

Mr. Jude introduced a bill entitled "An act to provide for dredging Chadakoin river, known as Chautauqua lake outlet, and making an appropriation therefor " (Int. No. 1382), which was read the first time and referred to the committee on ways and means.

Mr. Gage introduced a bill entitled "An act to repeal chapter three hundred and ninety of the Laws of eighteen hundred and fifty-nine " (Int. No. 1383), which was read the first time and referred to the committee on internal affairs.

Mr. Bush introduced a bill entitled "An act making appropriations for fire protection for the State institutions reporting to the Fiscal Supervisor of State Charities " (Int. No. 1384), which was read the first time and referred to the committee on ways and means.

Mr. Van Woert introduced a bill entitled "An act to confer jurisdiction upon the Board of Claims to hear, audit and determine the alleged claim of Bernard S. Samson against the State for damages alleged to have been sustained by him in the payment of money to the State by mistake and to render judgment therefor" (Int. No. 1385), which was read the first time and referred to the committee on claims.

Mr. Weil introduced a bill entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,' in relation to the compensation of commissioners of estimate and appraisal appointed in pursuance of said act" (Int. No. 1386), which was read the first time and referred to the committee on affairs of cities.

Mr. Patrie introduced a bill entitled "An act to provide for the construction of a boulevard and viaduct in the county of Albany, connecting State route three, trunk line (the so-called 'stone road'), in the town of Bethlehem in said county with Delaware avenue in the city of Albany, and making an appropriation therefor" (Int. No. 1387), which was read the first time and referred to the committee on ways and means.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Fitzgerald (No. 175, Int. No. 171), entitled "An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation."

Also, Assembly bill introduced by Mr. O'Brien (No. 629, Int. No. 609), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages."

Also, Assembly bill introduced by Mr. P. J. Kelly (No. 1250, Int. No. 1166), entitled "An act to amend the Indian Law, in relation to medical aid and attendance of Indians residing on the Onondaga reservation."

Also, Assembly bill introduced by Mr. Levy (No. 862, Int. No. 820), entitled "An act to suppress certain nuisances."

Also, Assembly bill introduced by Mr. Burr (No. 731, Int. No.

703), entitled "An act to repeal section thirteen of the Decedent Estate Law, in relation to devises of real property to aliens."

Also, Assembly bill introduced by Mr. Schwarz (No. 1311, Int. No. 1212), entitled "An act to amend chapter two hundred and sixty-one of the Laws of nineteen hundred and two, entitled 'An act to authorize the county of Albany to provide for the temporary detention of juvenile delinquents with the Mohawk and Hudson River Humane Society and make compensation therefor,' by authorizing said society to receive and detain in its houses of detention minors after arrest, before trial, and pending their reception into some other institution."

Also, Assembly bill introduced by Mr. Jude (No. 1172, Int. No. 1093), entitled "An act to ratify all proceedings of the city of Jamestown, relating to the issuance and sale of one hundred and fifty thousand dollars water bonds, sold January twenty-second, nineteen hundred and thirteen, to authorize the execution and issuance of said bonds to provide for the payment of the principal and interest of said bonds, and to authorize the resale of said bonds under certain conditions."

Also, Assembly bill introduced by Mr. Fallon (No. 961, Int. No. 917), entitled "An act to legalize and confirm the acts of the town board of Shelter Island in respect to the purchase and maintenance of a certain dock therein."

Also, Assembly bill introduced by Mr. Esquirol (No. 719, Int. No. 691), entitled "An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act, entitled "An act to incorporate the Green-Wood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the designation of those to be interred in alienable lots and the transfer of such lots in certain cases."

Also, Assembly bill introduced by Mr. Hinman (No. 828, Int. No. 795), entitled "An act relating to the management and investment of the moneys and property constituting any endowment fund of 'The Rector and inhabitants of the City of Albany, in Communion of the Protestant Episcopal Church in the State of New York,' generally known as Saint Peter's church of the city of Albany."

Also, Assembly bill introduced by Mr. Rozan (No. 1089, Int. No. 1034), entitled "An act to amend the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties."

Also, Assembly bill introduced by Mr. Goldberg (No. 224, Int. No. 221), entitled "An act to amend the Judiciary Law, relative to the delivery and publication of opinions of justices of the Appellate Division," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was recommitted Assembly bill introduced by Mr. Burr (No. 1275, Int. No. 704), entitled "An act to amend the Real Property Law, in relation to tenure of real property by aliens," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill (No. 1190, Int. No. 1111) introduced by Mr. Macdonald, entitled "An act to legalize certain acts and proceedings of the former village of Saint Regis Falls, its voters, officers and agents, dissolving such village, and to confirm and make effectual such dissolution," reported in favor of the passage of the same, with the following amendment:

Page 1, line 6, after word "March" strike out "twenty-sixth" and insert "twentieth".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill (No. 501, Int. No. 496) introduced by Mr. Denney, entitled "An act to amend the Civil Service Law, in relation to vacations and leaves of absence for employees," reported in favor of the passage of the same, with the following amendment:

Page 2, line 7, strike out the word "Governor" and insert "head of said department."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which

was referred Assembly bill (No. 951, Int. No. 906) introduced by Mr. Goldberg, entitled "An act to amend the Stock Corporation Law, in relation to the regulating and supervision of investment companies," reported in favor of the passage of the same, with the following amendments:

Page 7, line 7, after "and" insert "except as hereinafter otherwise provided,".

Page 7, between lines 18 and 19, add the following paragraph to section eighty-seven: "If such company be dissatisfied with the finding of the examiner, it may appeal therefrom to the State securities board by notifying the examiner of such appeal in writing duly served within five days after the receipt by it of the notification of the examiner's findings. The operation and effect of the examiner's findings shall be stayed pending such appeal, by virtue thereof. The examiner shall present to the board all records, minutes and memoranda made by him in the course of his said investigation, and the board may review the findings of the examiner thereon or investigate additional facts or remit the matter to the examiner for further inquiry. The board may affirm, annul or modify the findings of the examiner and shall notify such company in writing of its determination. A determination adverse to such company shall have the same effect, as hereinabove provided for findings by the examiner. The board may make rules and regulations providing for the procedure in the conducting or disposing of any such appeal, but shall in any case grant to the company appealing a hearing."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Senate bill introduced by Mr. Healy (No. 376, Rec. No. 52), entitled "An act to legalize certain acts and proceedings of the town of Harrison, its officers, agents and taxpayers, in the county of Westchester, relating to the establishment of a sewer district for such town and to the sale and issuance of its bonds therefor, and the acts and proceedings of the village of Rye in said county and of the conservation commission in connection therewith, and to provide for the payment of such bonds," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which

was referred Assembly bill introduced by Mr. McKeon (No. 280, Senate Reprint No. 650, Int. No. 276), entitled "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind," reported in favor of concurring in the amendments of the Senate thereto.

Mr. McCue moved to nonconcur in the amendments of the Senate thereto, and request the appointment of a committee of conference thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed Messrs. McCue, McKeon, Caughlan, T. K. Smith and Schaap.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly has nonconcurred in the amendments of the Senate thereto, and requests the appointment of a committee of conference thereon, and that Mr. Speaker has appointed Messrs. McCue, McKeon, Caughlan, T. K. Smith and Schaap as such committee on the part of the Assembly.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. McKee (No. 1303, Int. No. 1204), entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements confirmed after the first day of January, nineteen hundred and eight,"

Also, Assembly bill introduced by Mr. McKee (No. 1304, Int. No. 1205), entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements."

Also, Assembly bill introduced by Mr. Dorst (No. 969, Int. No. 925), entitled "An act to authorize the city of Buffalo and the county of Erie to provide by agreement or otherwise for the transfer and conveyance of the city and county hall in said city, and the site on which it stands, and the acquisition of lands and construction of buildings for county and courthouse purposes or for city purposes; or for the improvement, enlargement or reconstruction of said city and county hall."

Also, Assembly bill introduced by Mr. Walker (No. 932, Int. No. 889), entitled "An act to amend the Greater New York charter, in relation to the board of aldermen."

Also, Assembly bill introduced by Mr. Burr (No. 471, Int. No. 466), entitled "An act to amend the Greater New York charter, in relation to vacations for employees."

Also, Assembly bill introduced by Mr. Brewster (No. 1198, Int. No. 1119), entitled "An act to amend chapter one hundred and forty-two of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Corning,' in relation to apparatus and buildings for fire prevention."

Also, Assembly bill introduced by Mr. Schifferdecker (No. 709, Int. No. 683), entitled "An act to amend the Greater New York charter, in relation to creating a new district for the municipal court of the borough of Brooklyn, changing the boundary lines of existing districts and providing for the election of one additional justice therefrom."

Also, Assembly bill introduced by Mr. Donohue (No. 1155, Int. No. 1082), entitled "An act to amend the Greater New York charter, in relation to the powers of the commissioners of the sinking fund."

Also, Assembly bill introduced by Mr. Schwarz (No. 1182, Int. No. 1103), entitled "An act to authorize the city of Troy to provide funds to pay its contract obligations and expenses for public improvements in said city," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 1243, Int. No. 1159) introduced by Mr. Oxford, entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine," reported in favor of the passage of the same, with the following amendment:

Page 1, line 2, after the word "authorize" insert in italics "in its discretion".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.



Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 472, Int. No. 467) introduced by Mr. Burr, entitled "An act to amend the Greater New York charter, in relation to commissioners of deeds," reported in favor of the passage of the same, with the following amendments:

Page 2, line 6, strike out the last "the".

Page 2, line 7, after "clerk" insert comma.

Page 2, line 15, before "duties" insert "discharge of the".

Page 3, line 3, place brackets around "without" and insert in place thereof "upon" in italics.

Page 3, line 4, after "resides" insert "and the register if any" in italics.

Page 3, line 8, strike out bracket.

Page 3, line 11, after "certificate" insert "or certificates" in italics.

Page 3, line 14, after "Richmond" insert "and the register of the counties of New York, Kings and Westchester" in italics.

Page 3, line 16, after "Richmond" insert "and the register of the counties of New York, Kings and Westchester" in italics.

Page 3, line 19, strike out bracket. Strike out rest of line and all of lines 20, 21, 22, 23, 24 and on line 25 strike out "of New York".

Page 4, line 23, strike out brackets; line 24, strike out all to "as".

Page 4, line 26, strike out "In addition to his" and insert in place thereof in italics: "On and after the first day of June, nineteen hundred and thirteen, a recording officer of a county wholly included in the city of New York shall not accept for record any instrument acknowledged by a commissioner of deeds after the thirty-first day of May, nineteen hundred and thirteen, unless there is on file in his office a certificate of the city clerk, showing the appointment and qualification of such commissioner".

Page 5, strike out lines 1, 2, 3, 4, and line 5 strike out "official number."

Page 6, at end of line 8 insert in italics "In case of the removal or resignation of a commissioner of deeds, the city clerk shall immediately notify each county clerk and register, if any, of each county wholly included in the city of New York of such removal or resignation."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.



Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill introduced by Mr. Jackson (No. 525, Int. No. 514), entitled "An act to amend the Labor Law, in relation to protecting the health and morals of females employed in factories by providing an adequate period of rest at night."

Also, Assembly bill introduced by Mr. Jackson (No. 521, Int. No. 510), entitled "An act to amend the Labor Law, in relation to the clean, sanitary and safe condition of factory buildings."

Also, Assembly bill introduced by Mr. Jackson (No. 1044, Int. No. 992), entitled "An act to amend the Labor Law, in relation to the physical examination of children employed in factories and cancellation of their employment certificates because of physical unfitness."

Also, Assembly bill introduced by Mr. Jackson (No. 1015, Int. No. 969), entitled "An act to amend the Labor Law, in relation to protecting the lives, health and safety of employees in dangerous trades," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 1372, Int. No. 1268) introduced by Mr. Jackson, entitled "An act to amend the Labor Law, in relation to the organization of the Department of Labor and its various bureaus, the creation of an industrial board, and the extension of the department's jurisdiction over mercantile establishments in cities of the second class," reported in favor of the passage of the same, with the following amendments:

Page 3, line 7, strike out word "three" and insert "four".

Page 3, line 18, add letter "s" to "commissioner".

Page 8, line 1, after "teen" insert the word "and".

Page 12, line 6, insert a period after the word "employees," and beginning with the word "in" strike out all down to and including the word "establishments" in line 7.

Page 15, line 10, after the word "shall" insert word "each".

Page 16, line 25, after the word "Suffolk" insert the following new sentence: "The office of the first factory inspection district shall be in the city of New York."

Page 16, line 26, after the word "state" insert the following

new sentence: "The office of the second factory inspection district shall be in the city of Buffalo."

Page 18, line 6, insert brackets about the word "such".

Page 19, line 22, strike out the clause "where any labor is performed".

Page 20, line 7, insert "and the rules and regulations of the industrial board" after the word "article".

Page 21, line 14, strike out word "division" and insert the word "section".

Page 23, line 24, strike out words "assort and systematize" and insert the words "and prepare".

Page 27, line 7, insert "so".

Page 34, line 13, strike out word "to" and insert in place thereof the word "of".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 527, Int. No. 516) introduced by Mr. Jackson, entitled "An act to amend the Labor Law, in relation to seats in factories and other establishments for female employees," reported in favor of the passage of the same, with the following amendments:

Page 1, line 7, after the word "seats" insert a comma.

Page 1, line 8, after the word "practicable" insert a comma.

Page 2, line 5, after the word "work" insert the following new sentence: "The industrial board may make rules and regulations prescribing the number and kind of seats that shall be provided and the use thereof."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill introduced by Mr. Jackson (No. 530, Int. No. 519), entitled "An act to amend the Labor Law, in relation to cleanliness of workrooms in factories," reported in favor of the passage of the same, with the following amendment:

Page 2, line 1, strike out word "in" and insert in place thereof the word "of".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Weil, from the committee on taxation and retrenchment, to which was referred Assembly bill (No. 119, Int. No. 119) introduced by Mr. Weil, entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks," reported in favor of the passage of the same, with the following amendments:

On page 2, line 5, strike out the word "Bronx".

On page 3, line 1, strike out the word "Bronx".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Butts, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. Van Woert (No. 946, Int. No. 901), entitled "An act to amend the Village Law, in relation to the lien of water rents."

Also, Assembly bill introduced by Mr. Patrie (No. 1156, Int. No. 1083), entitled "An act to amend chapter sixty-eight of the Laws of eighteen hundred and sixty, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' generally," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Senate bill introduced by Mr. Wheeler (No. 600, Rec. No. 67), entitled "An act in relation to the holding of town meetings and elections in the county of Broome."

Also, Senate bill introduced by Mr. Peckham (No. 849, Rec. No. 77), entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' in relation to the salary of the sheriff, appointment and compensation of the sheriff's assistants and the care and maintenance of jails and prisoners," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McDaniels, from the committee on public health, to which was referred Assembly bill introduced by Mr. T. K. Smith (No. 371, Int. No. 367), entitled "An act to regulate and restrain the

practice of midwifery in the city of Syracuse by others than legally authorized physicians."

Also, Assembly bill introduced by Mr. McDaniels (No. 1131, Int. No. 1058), entitled "An act to amend the Public Health Law, in relation to the practice of undertaking and embalming and the licensing of undertakers and embalmers."

Also, Assembly bill introduced by Mr. Ulrich (No. 1215, Int. No. 1136), entitled "An act to amend the Public Health Law, in relation to violations of the provisions relating to pharmacy," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McDaniels, from the committee on public health, to which was referred Assembly bill introduced by Mr. P. J. Kelly (No. 218, Int. No. 215), entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings," reported in favor of the passage of the same, with the following amendments:

Page 1, line 7, after the word "The" insert "Interior".

Page 2, line 4, after the word "recalcimine" insert "The interior of".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McKee, from the committee on public education, to which was referred Assembly bill introduced by Mr. Fitzgerald (No. 1288, Int. No. 1189), entitled "An act to amend the Education Law, in relation to free text-books," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Willmott, from the committee on charitable and religious societies, to which was referred Assembly bill introduced by Mr. Grimme (No. 721, Int. No. 693), entitled "An act to amend the Religious Corporations Law, in relation to the sale, mortgage and lease of real property of religious corporations," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Willmott, from the committee on charitable and religious societies, to which was recommitted Assembly bill introduced by

Mr. Willmott (No. 306, Int. No. 302), entitled "An act to establish a commission on sites, grounds and buildings," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Hearn, from the committee on canals, to which was referred Assembly bill introduced by Mr. Hearn (No. 230, Int. No. 227), entitled "An act to amend the Canal Law, in relation to advances of moneys to division engineers, and drafts of money by the Superintendent of Public Works."

Also, Assembly bill introduced by Mr. Hearn (No. 231, Int. No. 228), entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of the State."

Also, Assembly bill introduced by Mr. Hearn (No. 1004, Int. No. 958), entitled "An act to expedite the work of improving the Oswego canal by providing for the suspension of navigation on a portion thereof during the season of nineteen hundred and thirteen," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Town Law, in relation to fees of officers in criminal proceedings." (No. 1274, Int. No. 835.)

"An act to provide for a public park at Lake Ronkonkoma in Suffolk county, New York, for the perpetual enjoyment of the people of the State, and to preserve it in its natural condition of scenic beauty." (No. 815, Int. No. 782.)

"An act to amend the Greater New York charter, in relation to proceedings for street openings." (No. 1273, Int. No. 839.)

"An act to amend chapter one hundred and thirty-two of the Laws of nineteen hundred and eleven, entitled 'An act to provide for certain improvements in the channel and banks of the Mohawk river and West Canada creek, made necessary by the building of the barge canal, and making an appropriation therefor.'" (No. 1280, Int. No. 139.)

"An act to amend the Conservation Law, in relation to the open season for wild deer, and number to be taken." (No. 820, Int. No. 787.)

"An act to repeal section three hundred and thirty-two of the Conservation Law, in relation to nets in Far Rockaway bay, Jones' inlet or adjacent waters." (No. 115, Int. No. 115.)

"An act to provide for existing deficit in funds available for support of the military establishment of the State, and making an appropriation therefor." (No. 924, Int. No. 881.)

"An act to amend the General Business Law, in relation to pressing and marketing hay and straw." (No. 1040, Int. No. 988.)

"An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan crossing in Kings county." (No. 124, Int. No. 124.)

"An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jury trials in the boroughs of Queens and Richmond." (No. 1279, Int. No. 400.)

"An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay." (No. 84, Int. No. 84.)

"An act to amend the Membership Corporations Law, in relation to cemetery corporations." (No. 640, Int. No. 620.)

"An act to amend the Town Law, in relation to the meetings of town auditors." (No. 1347, Int. No. 541.)

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. O'Brien (No. 1042, Int. No. 990), entitled "An act to authorize the macadamizing or paving of streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor, and in connection therewith, in the village of White Plains, New York, Westchester county, and to provide the manner and means of paying therefor."

Also, the bill introduced by Mr. Larrimer (No. 133, Int. No. 131), entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million."

Also, the bill introduced by Mr. McKee (No. 84, Int. No. 84), entitled "An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay."

Also, the bill introduced by Mr. Maloney (No. 115, Int. No. 115), entitled "An act to repeal section three hundred and thirty-two of the Conservation Law, in relation to nets in Far Rockaway bay, Jones' inlet or adjacent waters."

Also, the bill introduced by Mr. Ingram (No. 124, Int. No. 124), entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan crossing in Kings county."

Also, the bill introduced by Mr. Grace (No. 1040, Int. No. 988), entitled "An act to amend the General Business Law, in relation to pressing and marketing hay and straw."

Also, the bill introduced by Mr. Bush (No. 924, Int. No. 881), entitled "An act to provide for existing deficit in funds available for support of the military establishment of the State, and making an appropriation therefor."

Also, the bill introduced by Mr. Wood (No. 820, Int. No. 787), entitled "An act to amend the Conservation Law, in relation to the open season for wild deer, and number to be taken."

Also, the bill introduced by Mr. Robinson (No. 815, Int. No. 782), entitled "An act to provide for a public park at Lake Ronkonkoma in Suffolk county, New York, for the perpetual enjoyment of the people of the State, and to preserve it in its natural condition of scenic beauty."

Also, the bill introduced by Mr. Benninger (No. 640, Int. No. 620), entitled "An act to amend the Membership Corporations Law, in relation to cemetery corporations."

Also, the bill introduced by Mr. McMahon (No. 1273, Int. No. 839), entitled "An act to amend the Greater New York charter, in relation to proceedings for street openings."

Also, the bill introduced by Mr. McCue (No. 1031, Int. No. 602), entitled "An act to amend the Liquor Tax Law, in relation to the issuance of certificates under the provisions of subdivision two of section eight, limitation of such certificates and transfers thereof under abandonment notices."



Also, the bill introduced by Mr. Gage (No. 1274, Int. No. 835), entitled "An act to amend the Town Law, in relation to fees of officers in criminal proceedings."

Also, the bill introduced by Mr. Maloney (No. 1347, Int. No. 541), entitled "An act to amend the Town Law, in relation to the meetings of town auditors."

Also, the bill introduced by Mr. Benninger (No. 1279, Int. No. 400), entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to jury trials in the boroughs of Queens and Richmond."

Also, the bill introduced by Mr. Pullman (No. 1280, Int. No. 139), entitled "An act to amend chapter one hundred and thirty-two of the Laws of nineteen hundred and eleven, entitled 'An act to provide for certain improvements in the channel and banks of the Mohawk river and West Canada creek, made necessary by the building of the barge canal, and making an appropriation therefor,'" reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McKee (No. 1135, Int. No. 1062), entitled "An act to amend the Education Law, relative to the consolidation of districts by a vote of a district meeting," reported the same with the following recommendations:

At page 2, line 22, after "submitted" insert comma.

At page 6, line 22, strike out "thereof", and insert "thereon" after "interest".

At page 7, line 10, insert hyphen between "re" and "formed".

At page 7, line 14, insert comma after "chapter".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Fallon (No. 1276, Int. No. 117), entitled "An act to amend the Conservation Law, in rela-



tion to the open season for water fowl on Long Island," reported the same with following recommendations:

Page 1, line 10, print "Tenth" in italics.

Page 2, line 6, after "and" insert "[except from October first to October nineteenth, both inclusive,]".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Goldberg (No. 1268, Int. No. 311), entitled "An act to amend the Public Health Law, in relation to the registration of nurses," reported the same with the following recommendation:

At page 2, line 2, insert "shall" after "and".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Kerrigan (No. 381, Int. No. 377), entitled "An act to amend the Second Class Cities Law, relative to designation of official papers," reported the same with the following recommendations:

At page 1, line 7, insert "comma" after "tion".

At page 2, line 4, strike out "two" in italics and insert "two" in roman.

At page 2, line 4, insert "[,]" between "papers" and period.

At page 2, line 4, strike out "If" in roman and insert "If" in italics.

At page 2, line 5, change "but two official papers to designated," to italics.

At page 2, line 6, insert comma after "faith".

At page 2, line 10, insert "[,]" between "designated" and comma.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Yard offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the futher consideration of the bill (No. 784, Int. No. 755)

entitled "An act to amend the Judiciary Law, in relation to clerks and similar officers serving as referees and legal representatives."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Yard moved to amend as follows:

Page 2, line 5, after word "shall" insert "*hereafter*" in italics.

Page 2, line 7, after word "person" insert a period.

Page 2, line 7, after word "person" strike out comma and all matter beginning with word "Nor" to and including lines 8, 9, 10, 11, 12, 13 and 14.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Yard, said bill was ordered reprinted and recommitted to said committee.

Mr. J. D. Kelly offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill (No. 1125, Int. No. 1052) entitled "An act to amend the Executive Law, in relation to the duties of the Attorney-General in actions involving the constitutionality of statute."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. J. D. Kelly moved to amend as follows:

Page 2, line 2, strike out "may" and insert "*must*" in italics. Strike out beginning with the words "The court" on line 6 down to and including the words "Attorney-General" on line 10. Strike out all of line 13 following the word "*ceeding*".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. J. D. Kelly, said bill was ordered reprinted and recommitted to said committee.

Mr. Hinman offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the bill (No. 765, Int. No. 738) entitled "An act to amend the Highway Law, relative to the State Commission of Highways."

Debate was had thereon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

AYES 33

NOES 74

Those who voted in the affirmative were:

Bradley	Horton	Norton	Seelye G T	Tallett
Brereton	Jones	Pappert	Shepardson	Vert
Bryant	Knight	Pembleton	Smith J A	Webb
Fuller	Macdonald	Phillips	Smith M	Wood
Gage	Machold	Richardson	Smith T K	Yale
Gillett	Magee	Schaap	Sweet	Yeomans
Hinman	Malone	Seaker		

Those who voted in the negative were:

Benninger	Dennen	Grimme	Kerrigan	Patrie
Bovie	Dcnohue	Gurnett	Kiernan	Pullman
Brewster	Dorst	Hamilton	Knott	Robinson
Burr	Doty	Hearn	Larrimer	Rozan
Burh	Dox	Heyman	Levy	Schifferdecker
Butts	Eisner	Hover	Madden	Schnirel
Campbell	Emden	Hughes	McCollum	Seely J L
Carroll	Esquirol	Ingram	McCue	Small
Carver	Farrell	Jackson	McDaniels	Ulrich
Caughlan	Fitzgerald	Kane	McElligott	Van Woert
Cole	Gallup	Kelly J A	McGrath	Walker
Cronin	Gathright	Kelly J J	McMahon	Willard
Cuvillier	Geyer	Kelly J D	Monahan	Willmott
Daley	Gibbs	Kelly P J	O'Brien	Yard
Deitz	Gillen	Kenney	Oxford	

The bill (No. 929, Int. No. 886) entitled "An act to amend the Code of Civil Procedure, in relation to costs of an executor on a contest," was read the second time.

On motion of Mr. Knight, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1051, Int. No. 999) entitled "An act in relation to the erection of a monument to commemorate the services of Brevet-Major-General Newton Martin Curtis, and reappropriating certain money therefor," having been announced for a second reading,

On motion of Mr. Bush, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 927, Int. No. 884) entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same," having been announced for a third reading,

On motion of Mr. Knight, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 681, Int. No. 655) entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences," having been announced,

Mr. Pembleton moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

On page 1, line 2, after the word "procedure" strike out balance of line.

On page 1, line 3, strike out entire line.

On page 1, line 4, strike out "hundred and eighty-seven,".

On page 2, line 8, after period add in italics: "A judgment of affirmance upon any such appeal shall not operate to exclude any appellant, otherwise entitled thereto, from the right of suffrage."

On page 2, line 9, strike out the word "immediately" and insert "September first, nineteen hundred and thirteen."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McGrath, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 815, Rec. No. 68) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals," having been announced,

Mr. Horton moved that said bill be recommitted to the com-

mittee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 2, line 5, strike out the words "subject to" and insert in place thereof the words "not exempt from".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 789, Int. No. 36) entitled "An act making an appropriation to aid in the celebration of the One Hundredth Anniversary of the Battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," having been announced for a third reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1035, Int. No. 983) entitled "An act to amend the Town Law, in relation to certain town expenses and liabilities and providing funds for paying the same," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 120

NOES 1

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCollum	Silverstein
Benninger	Emden	Hughes	McCue	Small
Bovie	Esquirol	Ingram	McDaniels	Smith J A
Bradley	Evans	Jackson	McElligott	Smith M
Brereton	Farrell	Jones	McGrath	Smith T K
Brewster	Fitzgerald	Kane	McMahon	Sutphin
Bryant	Fuller	Kelly J A	Monahan	Sweet
Burr	Gage	Kelly J J	Norton	Tallett

<b>Bush</b>	<b>Gallup</b>	<b>Kelly J D</b>	<b>O'Brien</b>	<b>Telford</b>
<b>Butts</b>	<b>Gathright</b>	<b>Kelly P J</b>	<b>O'Connor</b>	<b>Tudor</b>
<b>Campbell</b>	<b>Geoghan</b>	<b>Kenney</b>	<b>Pappert</b>	<b>Ulrich</b>
<b>Carroll</b>	<b>Geyer</b>	<b>Kennedy</b>	<b>Pembleton</b>	<b>Van Woert</b>
<b>Carver</b>	<b>Gibbs</b>	<b>Kerrigan</b>	<b>Phillips</b>	<b>Vert</b>
<b>Caughlan</b>	<b>Gillen</b>	<b>Kiernan</b>	<b>Pullman</b>	<b>Volk</b>
<b>Cole</b>	<b>Gillett</b>	<b>Knight</b>	<b>Richardson</b>	<b>Walker</b>
<b>Cronin</b>	<b>Grace</b>	<b>Knott</b>	<b>Robinson</b>	<b>Ward</b>
<b>Cuvillier</b>	<b>Greenberg A</b>	<b>Larrimer</b>	<b>Rozan</b>	<b>Webb</b>
<b>Daley</b>	<b>Grimme</b>	<b>Levy</b>	<b>Schaap</b>	<b>Weil</b>
<b>Deitz</b>	<b>Gurnett</b>	<b>Lewis</b>	<b>Schifferdecker</b>	<b>Willard</b>
<b>Dennen</b>	<b>Hamilton</b>	<b>Macdonald</b>	<b>Schwarz</b>	<b>Willmott</b>
<b>Donohue</b>	<b>Hearn</b>	<b>Machold</b>	<b>Seaker</b>	<b>Wood</b>
<b>Dorst</b>	<b>Heyman</b>	<b>Madden</b>	<b>Seely J L</b>	<b>Yale</b>
<b>Doty</b>	<b>Hinman</b>	<b>Magee</b>	<b>Seelye G T</b>	<b>Yard</b>
<b>Dox</b>	<b>Horton</b>	<b>Malone</b>	<b>Shepardson</b>	<b>Yeomans</b>

In the negative:

**Patrie**

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 743, Int. No. 715) entitled "An act to authorize appeals in certain proceedings brought by the city of New York for acquiring property in the borough of Manhattan, city of New York, for bridge purposes," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 646, Int. No. 626) entitled "An act to amend the Real Property Law, in relation to creation and division of estates," having been announced for a third reading,

On motion of Mr. McGrath, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1031, Int. No. 602) entitled "An act to amend the Liquor Tax Law, in relation to the issuance of certificates under the provisions of subdivision two of section eight, limitation of such certificates and transfers thereof under abandonment notices," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 121

NOES 00

Those who voted in the affirmative were:

Adler	Emden	Hughes	McCue	Silverstein
Benninger	Esquirol	Ingram	McDaniels	Small
Bovie	Evans	Jackson	McElligott	Smith J A
Bradley	Farrell	Jones	McGrath	Smith M
Brereton	Fitzgerald	Kane	McMahon	Smith T K
Brewster	Fuller	Kelly J A	Monahan	Sutphin
Bryant	Gage	Kelly J J	Norton	Sweet
Burr	Gallup	Kelly J D	O'Brien	Tallett
Bush	Gathright	Kelly P J	Oxford	Telford
Butts	Geoghan	Kenney	Pappert	Tudor
Campbell	Geyer	Kennedy	Patrie	Ulrich
Carroll	Gibbs	Kerrigan	Pembleton	Van Woert
Carver	Gillen	Kiernan	Phillips	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Grace	Knott	Richardson	Walker
Cronin	Greenberg A	Larrimer	Robinson	Ward
Cuvillier	Grimme	Levy	Rozan	Webb
Daley	Gurnett	Lewis	Schaap	Weil
Deitz	Hamilton	Macdonald	Schifferdecker	Willard
Dennen	Hearn	Machold	Schwarz	Willmott
Donohue	Heyman	Madden	Seaker	Wood
Dorst	Hinman	Magee	Seely J L	Yale
Doty	Horton	Malone	Seelye G T	Yard
Dox	Hover	McCollum	Shepardson	Yeomans
Eisner				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Willmott offered for the consideration of the House a resolution, in the words following:

Whereas, At a meeting of the depositors of the Union Bank of Brooklyn, together with the members of the Legislature representing Kings county before the committee of inquiry, at the State capitol in Albany on February eighteenth, nineteen hundred and thirteen, the condition of the Union Bank corporation prior to its failure in nineteen hundred and seven and during the interval of time of first and second closing and since that time up to the present was discovered, the facts which were the cause of the failure of said Union Bank of Brooklyn were shown by those in charge of the investigation, and a state of affairs of the most appalling nature, double dealing, theft, misconduct and mismanagement on the part of the bank's officers and glaring misapplication of the funds of the depositors by said officers was revealed; and,

Whereas, Thousands of people lost large sums of money on  
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account of the loose and thieving methods of said officers of the Union Bank, and these depositors have been in many instances rendered bankrupt, deprived of their earnings and savings, the result of years of thrift and industry; and,

Whereas, Because of the inadequate protection afforded the depositors of said bank on the part of the Republican Banking Department of the State administration of nineteen hundred and seven, the people of Brooklyn were deprived of their money by dishonest bank officials and suffered great pecuniary losses; and,

Whereas, After the Banking Department of the State was informed of the insolvent condition of the bank and revelations of the most startling character were made to the State's officers, the bank was permitted to reopen while it remained in an insolvent condition and it was not until the second closing of the bank that the depositors were made aware of their hopeless and helpless situation; and,

Whereas, Several of the bank's officers have been indicted and sentenced to prison for short terms, which is in itself slight punishment and small recompense to those who suffered because of the criminal misdeeds of the Union Bank officials; and,

Whereas, Because of the inefficient conduct, negligence and a lack of protection on the part of the Republican Banking Department of the State, in regard to the funds of depositors of the said Union Bank such conditions arose; and,

Whereas, The banking laws of the State are wholly inadequate to meet the situation and there is danger that if the department should again fall into the hands of a weak and inefficient Superintendent of Banks, surrounded by a corps of incompetent assistants, there might be a re-occurrence of the same disgraceful conditions and circumstances that surrounded the failure of the said Union Bank; and,

Whereas, Much intelligent efforts have been displayed by the present Superintendent of Banks, George C. Van Tuyl, and it is owing to his high character, zeal and capable banking knowledge, aided by an able corps of assistants, that order and system have been re-established in the methods of examination of the banks of the State; therefore,

Resolved (if the Senate concur), That a joint committee of two Senators, to be appointed by the President of the Senate, and three members of the Assembly, to be appointed by the Speaker of the Assembly, is hereby constituted and appointed a legislative committee to investigate and inquire into the matter of conforming the banking laws of this State to the Federal laws governing United States banks; to investigate and examine into the laws governing the Banking Departments of the several States of the Union, and that said committee make a report to the



Legislature of the State of New York together with such recommendations and suggestions respecting legislation as it shall deem appropriate and necessary. Such committee shall elect its chairman and vice-chairman and shall have power to compel the attendance of witnesses, including public officers and employees, and the production of books and papers, including public records and documents; to administer oaths, take proof and testimony, employ counsel and expert witnesses, stenographers and other assistants, to sit anywhere within the State of New York, and shall have all the powers usual and necessary in cases of legislative committees, including the adoption of rules and the conduct of its proceedings; that the actual and necessary expenses of the committee in carrying out the provisions of this resolution, not exceeding the sum of fifty-thousand dollars (\$50,000), be paid from the moneys appropriated for the contingent expenses of the Legislature by the Treasurer on the warrant of the Comptroller and the certificate of the chairman of the committee.

which was referred to the committee on ways and means.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February 26, 1913.*

Resolved (if the Assembly concur). That:

Whereas, The monetary system of the United States has proved inadequate in critical periods and has been the cause of financial panics and general loss; and,

Whereas, The worst incidence of such panics is upon the banking institutions of this State; and,

Whereas, During the last six years several committees of Congress have investigated the monetary systems of this and other countries and have prepared measures to so improve the domestic system that hereafter it will be able to satisfy all proper demands of business and prevent economic crises from degenerating into panics;

Therefore the Legislature of New York urges upon Congress the importance of action upon these measures and the enactment into law of the one which seems best to its members and that such action should be taken at the forthcoming special session of Congress.

Resolved further, That the Clerk be directed to send a copy of these resolutions to the President-elect and to each of the Senators and Representatives-elect from this State to the Sixty-third Congress.

By order of the Senate.

PATRICK E. McCABE,  
*Clerk.*

On motion of Mr. Vert, consideration of said resolution was set down for Monday next.

The Senate returned the concurrent resolution providing for the appointment of a joint legislative committee to investigate the Bloomingdale Hospital and Society of White Plains, with a message that they have concurred in the passage of the same without amendment.

A communication was received from Hon. Otto Pfaff, mayor of the city of Oneida, returning Assembly bill (No. 240, Int. No. 237) entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling." with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. W. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 387, Int. No. 384) entitled "An act to amend the Greater New York charter, in relation to the power of the city superintendent of schools to enforce the Compulsory Education Law." with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. W. J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 444, Int. No. 439) entitled "An act to grant to the city of New York certain lands under water in Flushing bay and Flushing creek and vicinity, and providing for the improvement thereof." with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Levy, the House adjourned.

## THURSDAY, FEBRUARY 27, 1913.

The House met pursuant to adjournment.

Prayer by Rev. James G. Carlisle, Troy, N. Y.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

“An act to amend the Code of Civil Procedure, in relation to defendants in actions for dower” (No. 209, Rec. No. 83), which was read the first time and referred to the committee on codes.

“An act to amend the Greater New York charter, in relation to the board of city records” (No. 818, Rec. No. 84), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Real Property Law, in relation to creation and division of estates” (No. 879, Rec. No. 85), which was read the first time and referred to the committee on the judiciary.

“An act to amend the Village Law, in relation to street improvement” (No. 691, Rec. No. 86), which was read the first time and referred to the committee on affairs of villages.

“An act to amend the Village Law, in relation to the compensation of collectors” (No. 692, Rec. No. 87), which was read the first time and referred to the committee on affairs of villages.

“An act to amend the Code of Criminal Procedure, relating to drawing grand juries” (No. 712, Rec. No. 88), which was read the first time and referred to the committee on codes.

“An act to amend the Civil Service Law, in relation to residence qualifications of persons in the classified civil service” (No. 822, Rec. No. 89), which was read the first time and referred to the committee on the judiciary.

“An act to amend the Greater New York charter, in relation to autopsies at the New York city children’s hospital and schools at Randall’s island” (No. 890, Rec. No. 90), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Banking Law, in relation to closing a

trust company ” (No. 618, Rec. No. 91), which was read the first time and referred to the committee on banks.

“An act to amend section one hundred and fifty-two of the Code of Civil Procedure, in regard to recommitting civil prisoners when the surety given by them to secure liberty is insufficient ” (No. 666, Rec. No. 92), which was read the first time and referred to the committee on codes.

“An act to amend the Public Health Law, in relation to the practice of undertaking and embalming and the licensing of undertakers and embalmers ” (No. 961, Rec. No. 93), which was read the first time and referred to the committee on public health.

“An act to provide for a commission on the codification of the practice and procedure in the municipal court of the city of New York, and to simplify, revise and amend the pleadings, practice and procedure therein, and to provide rules for the conduct of the court, justices, clerks and attaches thereof and the marshals attached to the said court ” (No. 626, Rec. No. 94), which was read the first time and referred to the committee on codes.

“An act to authorize the commissioners of the home of the city and town of Newburgh to purchase lands adjoining the premises owned by them ” (No. 821, Rec. No. 95), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Code of Civil Procedure, in relation to costs of an executor on a contest ” (No. 726, Rec. No. 96), which was read the first time and referred to the committee on codes.

“An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same ” (No. 727, Rec. No. 97), which was read the first time and referred to the committee on codes.

“An act to regulate and restrain the practice of midwifery in the city of Syracuse by others than legally authorized physicians ” (No. 263, Rec. No. 98), which was read the first time and referred to the committee on public health.

“An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled ‘An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,’ in relation to the compensation and lien

of attorneys and counsellors in said court " (No. 131, Rec. No. 99), which was read the first time.

On motion of Mr. Geyer, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Geyer, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bowie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yale
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to permitting the commissioner of parks to expend the sum of money to be received from the

Commissioners of the State Reservation at Saratoga Springs" (No. 383, Rec. No. 100), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to cemeteries and the amount of money to be raised for the care of the same" (No. 380, Rec. No. 101), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to creating a comptroller's expense fund" (No. 381, Rec. No. 102), which was read the first time and referred to the committee on affairs of villages.

Mr. Bovie introduced a bill entitled "An act to amend the Town Law, in relation to the general duties of the supervisor" (Int. No. 1388), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Town Law, in regard to the constitution and regular meeting of the town board" (Int. No. 1389), which was read the first time and referred to the committee on internal affairs.

Mr. Donohue introduced a bill entitled "An act to amend the Greater New York charter, in relation to the fixing of salaries of employees of the board of education" (Int. No. 1390), which was read the first time and referred to the committee on affairs of cities.

Mr. Deitz introduced a bill entitled "An act to amend the Judiciary Law, in relation to attorneys and counsellors" (Int. No. 1391), which was read the first time and referred to the committee on the judiciary.

Mr. Doty introduced a bill entitled "An act to amend the County Law, in relation to the power of the board of supervisors to authorize municipalities and districts to borrow money" (Int. No. 1392), which was read the first time and referred to the committee on internal affairs.

Mr. Fitzgerald introduced a bill entitled "An act to amend the Highway Law, in relation to the addition of a new State route in the county of Erie" (Int. No. 1393), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Public Health Law, in relation to the practice of chiropody" (Int. No. 1394), which was read the first time and referred to the committee on public health.

Mr. Farrell introduced a bill entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office, and regulating the management of said office,' in relation to additional employees in such office and fixing their compensation" (Int. No. 1395), which was read the first time and referred to the committee on affairs of cities.

Mr. Fallon introduced a bill entitled "An act to amend the Tax Law, in relation to the transfer tax clerk in Suffolk county" (Int. No. 1396), which was read the first time and referred to the committee on ways and means.

Mr. Farrell introduced a bill entitled "An act to amend the Navigation Law, generally, and providing regulations governing the use of motor boats on State waters" (Int. No. 1397), which was read the first time and referred to the committee on commerce and navigation.

Mr. P. J. Kelly introduced a bill entitled "An act to provide for the construction of a sixteen foot brick pavement as part of route number thirty-four in Onondaga county to connect the city of Syracuse and the village of Liverpool, also extending through said village, and making an appropriation therefor" (Int. No. 1398), which was read the first time and referred to the committee on ways and means.

Mr. J. D. Kelley introduced a bill entitled "An act to amend the Insurance Law, in relation to transportation of explosives" (Int. No. 1399), which was read the first time and referred to the committee on insurance.

Mr. Norton introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to costs in actions against executors or administrators" (Int. No. 1400), which was read the first time and referred to the committee on codes.



Mr. Rozan introduced a bill entitled "An act making an appropriation to enable the reserves of the Sons of Veterans, New York division, to attend the National Encampment of the Grand Army of the Republic at Gettysburg in the month of July, nineteen hundred and thirteen" (Int. No. 1401), which was read the first time and referred to the committee on ways and means.

Mr. Richardson introduced a bill entitled "An act to amend the Penal Law, in relation to the burning of crops and timber or refusing to extinguish fires" (Int. No. 1402), which was read the first time and referred to the committee on codes.

Mr. Sweet introduced a bill entitled "An act to amend chapter three hundred and ninety-four of the Laws of eighteen hundred and ninety-five, entitled 'An act to revise the charter of the city of Oswego,' relative to the establishment and control of a police pension fund" (Int. No. 1403), which was read the first time and referred to the committee on affairs of cities.

Mr. Tudor introduced a bill entitled "An act to amend the State Penal Law, in relation to sentence to House of Refuge, State Industrial School, and New York State Training School for Girls" (Int. No. 1404), which was read the first time and referred to the committee on penal institutions.

Mr. Walker introduced a bill entitled "An act to amend the Civil Service Law, relative to regrading of salaries" (Int. No. 1405), which was read the first time and referred to the committee on the judiciary.

Mr. Willmott introduced a bill entitled "An act to amend the General Business Law, in relation to the operation of the cinematograph or any other apparatus for projecting moving pictures" (Int. No. 1406), which was read the first time and referred to the committee on general laws.

Mr. Ward introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to removal of actions from one court to another in the county of New York" (Int. No. 1407), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to evidence of prior offenses" (Int. No. 1408), which was read the first time and referred to the committee on codes.



Also, "An act to amend the Code of Criminal Procedure, in relation to the writ of habeas corpus in the county of New York" (Int. No. 1409), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to extraordinary terms of the court of general sessions in the city and county of New York" (Int. No. 1410), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to the jurisdiction of the Supreme Court" (Int. No. 1411), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Greater New York charter, in relation to the board of examiners of the bureau of buildings" (Int. No. 1412), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Code of Criminal Procedure, in relation to record clerks in the court of general sessions of the city and county of New York" (Int. No. 1413), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to proceedings when a person in confinement appears to be insane" (Int. No. 1414), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to trials of second or fourth offenders" (Int. No. 1415), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Criminal Procedure, in relation to prisoners brought into court without habeas corpus" (Int. No. 1416), which was read the first time and referred to the committee on codes.

Mr. Jude introduced a bill entitled "An act to amend the charter of the city of Jamestown in relation to the paving of streets" (Int. No. 1417), which was read the first time and referred to the committee on affairs of cities.

Mr. Small introduced a bill entitled "An act making appropriations for the purchase of a power boat and two rowboats and

the maintenance of the same on Niagara river, for the protection of fish and game " (Int. No. 1418), which was read the first time and referred to the committee on ways and means.

Mr. Bush introduced a bill entitled "An act to amend the State Charities Law, in relation to the New York State Soldiers and Sailors' Home " (Int. No. 1419), which was read the first time and referred to the committee on soldiers' home."

Mr. Dorst introduced a bill entitled "An act to amend the Village Law, in relation to providing an additional remedy for purchasers of land at village tax sales of certain villages " (Int. No. 1420), which was read the first time and referred to the committee on affairs of villages.

Also, "An act to amend the Transportation Corporations Law, in relation to stage coach lines " (Int. No. 1421), which was read the first time and referred to the committee on railroads.

Mr. Schnirel introduced a bill entitled "An act to incorporate the city of Canandaigua " (Int. No. 1422), which was read the first time and referred to the committee on affairs of cities.

Mr. Dox introduced a bill entitled "An act to release to the next of kin and heirs at law of Philip Grimes, late of the city of Albany, New York, all the right, title and interest of the people of the State of New York, in and to the personal property and estate, whereof Catherine Grimes, widow of said Philip Grimes, late of the city of Albany, New York, died seized and possessed " (Int. No. 1423), which was read the first time and referred to the committee on ways and means.

Mr. Jude introduced a bill entitled "An act to provide for the erection of a new armory building in the city of Jamestown, New York, the acquisition of a site for the same and making an appropriation for the construction of said building; and providing for the sale of the old armory site and building and the application of the proceeds to such new building " (Int. No. 1424), which was read the first time and referred to the committee on ways and means.

Mr. Sweet introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article seven of the Constitution " (Int. No. 1425), which was read the first time and referred to the committee on the judiciary.

Mr. Grimme introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the taking of judgment by default in justice's court" (Int. No. 1426), which was read the first time and referred to the committee on codes.

Mr. Evans introduced a bill entitled "An act to amend the Conservation Law, in relation to taking minnows for bait" (Int. No. 1427), which was read the first time and referred to the committee on conservation.

Also, "An act to amend the Conservation Law, in relation to the taking of deer" (Int. No. 1428), which was read the first time and referred to the committee on conservation.

Also, "An act to amend the Conservation Law, in relation to the fees for nonresident hunting license" (Int. No. 1429), which was read the first time and referred to the committee on conservation.

Mr. Monahan introduced a bill entitled "An act to amend the Greater New York charter, in relation to uniforms of the police department" (Int. No. 1430), which was read the first time and referred to the committee on affairs of cities.

Mr. Sufrin introduced a bill entitled "An act to amend the Election Law, in relation to amount of expenditure for which vouchers must be preserved" (Int. No. 1431), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Election Law, in relation to filing of accounting of receipts and expenditures" (Int. No. 1432), which was read the first time and referred to the committee on the judiciary.

Mr. Bovie introduced a bill entitled "An act to amend section forty of chapter seven hundred twenty-four of the Laws of nineteen hundred and five, entitled 'An act to provide for an additional supply of pure and wholesome water for the city of New York; and for the acquisition of lands or interests therein, and for the construction of the necessary reservoirs, dams, aqueducts, filters and other appurtenances for that purpose; and for the appointment of a commission with the powers and duties necessary and proper to attain these objects,' in relation to the use of such water in the county of Westchester" (Int. No. 1433), which was read the first time and referred to the committee on affairs of cities.

Mr. McElligott introduced a bill entitled "An act to amend the Greater New York charter, in relation to the repair and maintenance of water front property set apart for the use of city departments" (Int. No. 1434), which was read the first time and referred to the committee on affairs of cities.

Mr. Yard introduced a bill entitled "An act to amend and revise chapter six hundred and sixty-seven of the Laws of nineteen hundred and ten, entitled 'An act to amend, revise and consolidate the charter of the village of Ossining,' generally" (Int. No. 1435), which was read the first time and referred to the committee on affairs of villages.

Mr. Kerrigan introduced a bill entitled "An act to amend the Penal Law, in relation to the sale or possession of cocaine" (Int. No. 1436), which was read the first time and referred to the committee on codes.

Mr. Seaker introduced a bill entitled "An act creating a commission to select a site and to construct a foundation and pedestal for a monument to commemorate the services of Brevet-Major-General Newton Martin Curtis, in the city of Ogdensburg, and making an appropriation therefor" (Int. No. 1437), which was read the first time and referred to the committee on ways and means.

Mr. Burden, by request, introduced a bill entitled "An act to amend the County Law, in relation to assistants to the district attorney of the county of Queens" (Int. No. 1438), which was read the first time and referred to the committee on affairs of cities.

Mr. Cole introduced a bill entitled "An act to confer jurisdiction upon the Board of Claims to hear, try and determine the claim of Emma L. Hood for damages sustained by the appropriation of her lands and subsequent damage on account of the removal of the buildings therefrom by virtue of a contract entered into by the State of New York" (Int. No. 1439), which was read the first time and referred to the committee on claims.

Mr. Daley introduced a bill entitled "An act to provide for the construction of a lift or hoist bridge over the Erie canal at West Genesee street in the city of Syracuse, and making an appropriation therefor" (Int. No. 1440), which was read the first time and referred to the committee on ways and means.

Mr. Willmott introduced a bill entitled "An act to amend the Education Law, in relation to State aid for industrial, trade schools, and schools of agriculture, mechanic arts and home making" (Int. No. 1441), which was read the first time and referred to the committee on public education.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Evans (No. 169, Int. No. 166), entitled "An act to provide for the completion of a dyke or dykes for the protection of property adjacent to the Delaware river in the town of Highland, in the county of Sullivan, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. McCollum (No. 810, Int. No. 777), entitled "An act to provide for the improvement of Sawyers creek in the city of North Tonawanda and the town of Wheatfield, Niagara county, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Jones (No. 723, Int. No. 695), entitled "An act making provision for issuing bonds to the amount of not to exceed forty million dollars for the improvement of the canal system of the State by the extension of the Black River canal, the reconstruction of the Chemung canal, the conversion of the Glens Falls feeder into a canal, the construction of a canal between Flushing river and Jamaica bay, and for the purchase of lands required for said improvements, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and thirteen."

Also, Assembly bill introduced by Mr. Jackson (No. 795, Int. No. 760), entitled "An act to build and equip a range of glass houses for teaching floriculture and vegetableculture at the New York State College of Agriculture at Cornell University, making an appropriation therefor, and providing for the appointment of an advisory committee."

Also, Assembly bill introduced by Mr. Bush (No. 225, Int. No. 882), entitled "An act making an appropriation for the payment of compensation for services of employees required for the care and maintenance of the State Education building."

Also, Assembly bill introduced by Mr. Madden (No. 808, Int. No. 775), entitled "An act to amend chapter five hundred and

twenty-six of the Laws of nineteen hundred and ten, entitled 'An act providing for the construction of buildings and improvements for the New York State Training School for Boys, and making an appropriation therefor,' in relation to the allowance of fees and disbursements for witnesses in proceedings to acquire lands for the use of said institution."

Also, Assembly bill introduced by Mr. Willmott (No. 1173, Int. No. 1094), entitled "An act to provide for making surveys for improving and extending the canal system of the State, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Evans (No. 189, Int. No. 186), entitled "An act to provide for the erection of a suitable monument to commemorate the services of the Twenty-fifth New York Volunteer Cavalry in the battle of Fort Stevens, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Patrie (No. 749, Int. No. 721), entitled "An act to establish a State school of agriculture in the county of Greene, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Gurnett (No. 380, Int. No. 376), entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Cook Academy, at Montour Falls, in the county of Schuyler, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Hughes (No. 476, Int. No. 471), entitled "An act for the improvement of the tributaries of Black brook in Seneca county, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Bush (No. 843, Int. No. 801), entitled "An act making an appropriation for the expenses incident to the proceeding entitled 'The People of the State of New York ex rel. Mary C. Thaw against John W. Russell, medical superintendent of Matteawan State Hospital.'"

Also, Assembly bill introduced by Mr. Bush (No. 923, Int. No. 880), entitled "An act in relation to the Cuba reservoir, and making an appropriation on account thereof."

Also, Assembly bill introduced by Mr. Bush (No. 1034, Int. No. 982), entitled "An act to amend chapter five hundred

and twenty of the Laws of nineteen hundred and twelve, entitled 'An act to provide for the alteration of the building known as the State House, for the use of the Court of Appeals, making an appropriation therefor and reappropriating unexpended balances for perfecting plans for such alteration and reconstruction,' in relation to architect's compensation and modification of plans," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 59, Int. No. 59) introduced by Mr. Schwarz, entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the bridge of the Stillwater Bridge Company crossing the Hudson river between the counties of Saratoga and Rensselaer," reported in favor of the passage of the same, with the following amendment:

Page 1, line 1, strike out after the word "of" the words "eighteen thousand dollars (\$18,000)" and insert in the place thereof the words and figures "twelve thousand five hundred dollars (\$12,500)".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 60, Int. No. 60) introduced by Mr. Schwarz, entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the Union bridge crossing the Hudson river between the counties of Saratoga and Rensselaer," reported in favor of the passage of the same, with the following amendment:

Page 1, line 1, strike out after the word "of" "sixty thousand dollars (\$60,000)" and insert in the place thereof the words "one hundred thousand dollars (\$100,000)".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 977, Int. No. 933) introduced by Mr. Kenney, entitled "An act to authorize the use of certain



land owned by the State in Ulster county for a game farm, and making an appropriation for the equipment and stocking thereof," reported in favor of the passage of the same, with the following amendment:

Page 1, line 7, strike out the words "ten thousand dollars (\$10,000)" and insert in the place thereof the words "three thousand dollars (\$3,000)".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Senate bill introduced by Mr. Frawley (No. 723, Rec. No. 58), entitled "An act reappropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission, and making an additional appropriation therefor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. McElligott (No. 676, Int. No. 650), entitled "An act to amend the Code of Civil Procedure, in relation to service of summons without the State."

Also, Assembly bill introduced by Mr. Yale (No. 1319, Int. No. 1220), entitled "An act to declare the effect of the appearance by the Attorney-General in a proceeding in the surrogate's court of the county of Putnam for the disposition of the real property of Caroline Palmer, deceased, for the payment of debts and funeral expenses."

Also, Assembly bill introduced by Mr. Ward (No. 638, Int. No. 618), entitled "An act to amend section seventeen of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' as amended by chapter six hundred and three of the Laws of nineteen hundred and seven, in relation to hour for opening of court."

Also, Assembly bill introduced by Mr. McGrath (No. 276, Int. No. 272), entitled "An act to amend section fifteen hundred and sixty-nine of the Code of Civil Procedure, in relation to the payment of a gross sum in lieu of dower."



Also, Assembly bill introduced by Mr. J. A. Smith (No. 544, Int. No. 530), entitled "An act to amend the Code of Civil Procedure, in relation to the compensation of constables, deputy sheriffs and jurors," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Senate bill introduced by Mr. Stilwell (No. 813, Rec. No. 70), entitled "An act to amend the Penal Law, in relation to obtaining property or credit by use of false statement," reported the same with the following amendments:

On page 2, line 11, after the word "or" in italics insert in italics the following: "for the immediate purpose of".

On page 2, line 13, bracket out the word "such" and insert in its place in italics the word "any".

On page 2, line 13, after the word "corporation" insert "in which he is interested or for which he is acting."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Pappert (No. 423, Int. No. 421), entitled "An act to amend the Lien Law, in relation to the refileing of chattel mortgages and the entry thereof."

Also, Assembly bill introduced by Mr. Oxford (No. 1194, Int. No. 1115), entitled "An act to amend the General Business Law, in relation to the manufacture and sale of tires for motor vehicles."

Also, Assembly bill introduced by Mr. Emden (No. 800, Int. No. 765), entitled "An act to amend the Benevolent Orders Law, in relation to the National Order of the Daughters of Isabella."

Also, Assembly bill introduced by Mr. Hammer (No. 1183, Int. No. 1104), entitled "An act to authorize the Board of Claims to hear, audit, and determine the claims of Louise B. Hill, Rowland F. Hill, Jr., George P. Hill, and Mary Louise Hill, legal representatives and successors in interest of Rowland F. Hill, deceased, against the State of New York."

Also, Assembly bill introduced by Mr. McElligott (No. 1392, Int. No. 1282), entitled "An act to establish the New York commercial tercentenary commission, and to prescribe the powers and duties thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill (No. 587, Int. No. 573) introduced by Mr. Gillett, entitled "An act to amend the General Business Law, in relation to establishing the standard of four-pound grape basket, reported in favor of the passage of the same, with the following amendment:

On page 2, line 7, strike out the word "seven" and insert in place thereof the word "three".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill (No. 597, Int. No. 583) introduced by Mr. Brewster, entitled "An act to amend the Lien Law, in relation to liens of bailees for hire upon personal property," reported in favor of the passage of the same, with the following amendments:

In the title thereof strike out the words "by jewelers and silversmiths" and insert in place thereof the words, "of bailees for hire."

On page 1, line 6, strike out the words "jewelers and silversmiths" and insert in place thereof the words "bailees for hire,".

On same page and line, insert the word "firm" after the word "person,".

On page 1, line 7, strike out the words "the business of jeweler or silversmith" and insert in lieu thereof the words "performing work upon an article for a price,".

On page 1, line 8, insert the word "firm" after the word "person,".

On page 1, line 9, insert the word "such" after the word "performs" and strike out the words "as a jeweler or silversmith,".

Page 2, line 2, strike out the words "jeweler or silversmith" and insert in lieu thereof the words "bailees for hire".

On page 2, line 4, strike out the words "two years" and insert in place thereof the words "one year".

On page 2, line 5, strike out the words "jeweler or silver-smith" and insert in lieu thereof the words "bailees for hire".

On page 2, line 9, insert after the word "or" the word "bona fide".

On page 2, line 14, strike out the word "at".

On page 2, line 15, strike out the words "the court-house door at the county seat" and insert in lieu thereof the words "in two public places in the town, village or city where the property is located."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Jackson (No. 619, Int. No. 599), entitled "An act to amend the General Business Law, in relation to weights, measures and containers," reported the same with following amendments:

On page 2, line 9, strike out the comma after the word "packages" and insert between the word "packages" and the word "containers" in italics the word "and".

On page 2, line 9, after the word "containers" insert in italics the following words: "used for the purpose of containing maltous beverages;"

On page 2, line 9, after the word "or" insert in italics the word "to".

On page 2, line 10, strike out the brackets around the words "the bottling of".

On page 2, line 10, strike out the word "containing".

On page 2, lines 11 and 12, strike out the brackets around the words "until eight months after this section takes effect".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Esquirol (No. 786, Int. No. 757), entitled "An act to amend the General City Law, in relation to the construction or the alteration of buildings in cities of the first class," reported the same with the following amendments:

Page 2, line 16, after "include" insert "general builders".

Line 20, after "appoint" insert "one general builder, one".

Page 4, line 13, strike out all of line to and including "engineers,".

Page 5, line 3, strike out " ; " and insert ".".

Line 4, strike out all to and including "excepted."

Page 6, line 15, strike out "or other law or ordinance, rule".  
Strike out all of line 16.

Line 17, strike out "buildings, duly made and".

Line 23, strike out "." and insert ", after a full hearing given to the defendant by said board."

Line 25, strike out all after "article".

Strike out all of line 26.

Page 7, line 1, strike out all to and including "therein,".

Line 2, strike out "if a master".

Line 3, strike out "builder".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Gurnett, from the committee on conservation, to which was referred Assembly bill introduced by Mr. T. K. Smith (No. 691, Int. No. 665), entitled "An act to amend the Conservation Law, in relation to the propagation of game and to the application therefor of fees for hunting and trapping licenses," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Gurnett, from the committee on conservation, to which was referred Assembly bill (No. 891, Int. No. 849) introduced by Mr. Evans, entitled "An act to amend the Conservation Law, in relation to hooking suckers through the ice in Sullivan county," reported in favor of the passage of the same, with the following amendments:

Page 1, line 9, insert after the word "suckers" "*without bait*" in italics.

Page 1, line 9, strike out after word "ice" "*In Sullivan county*".

Page 1, line 10, insert after word "hooking" "*without bait*" in italics.

Page 1, line 11, strike out the words "*In Sullivan county*" and insert the words "*In New York State*" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Gurnett, from the committee on conservation, to which was referred Assembly bill (No. 754, Int. No. 726) introduced by Mr. Smith, entitled "An act to amend the Conservation Law, in relation to taking certain fish in Ten Mile river in the town of Dover in the county of Dutchess," reported in favor of the passage of the same, with the following amendments:

In title, line 2, add letter "s" to "town", and after word "of" insert words "Armenia and".

Page 2, line 4, add letter "s" to "town", and after word "of" insert "Armenia and".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Walker (No. 100, Int. No. 100), entitled "An act to amend the Penal Law, in relation to the issuance or circulation of false literature by insurance corporations."

Also, Assembly bill introduced by Mr. Walker (No. 94, Int. No. 94), entitled "An act to amend the Penal Law, in relation to discriminations and rebates by corporations transacting the business of life insurance on the co-operative or assessment plan."

Also, Assembly bill introduced by Mr. Walker (No. 92, Int. No. 92), entitled "An act to amend the General Corporation Law, in relation to the extension of corporate existence of insurance and banking corporations."

Also, Assembly bill introduced by Mr. Walker (No. 88, Int. No. 88), entitled "An act to amend the Stock Corporation Law, in relation to the certificate of increase or reduction of capital stock of a banking or insurance corporation."

Also, Assembly bill introduced by Mr. Walker (No. 300, Int. No. 296), entitled "An act to amend the Insurance Law, in relation to the capital of title, credit guaranty and securities guaranty corporations."

Also, Assembly bill introduced by Mr. Walker (No. 296, Int. No. 292), entitled "An act to amend the Insurance Law, in relation to capital requirements."

Also, Assembly bill introduced by Mr. Walker (No. 997, Int. No. 951), entitled "An act to amend the Insurance Law, in re-

lation to the incorporation of fire insurance corporations," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Assembly bill (No. 298, Int. No. 294) introduced by Mr. Walker, entitled "An act to amend the Insurance Law, in relation to the contents of advertisements," reported in favor of the passage of the same, with the following amendment:

Page 3, line 7, after the bracket insert in italics the following: "This section shall not apply to any domestic or foreign insurance corporation or association engaged solely in the business of marine or transportation insurance or in such business in connection with the business of automobile insurance."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Assembly bill (No. 918, Int. No. 875) introduced by Mr. Walker, entitled "An act to amend the Insurance Law, in relation to the standard fire insurance policy of the State of New York," reported in favor of the passage of the same, with the following amendments:

Line 3 of title, before the period insert "and the adjustment of losses thereunder."

Page 3, strike out lines 19 to 26, both inclusive.

Page 4, strike out lines 1 to 19, both inclusive.

Page 5, between lines 24 and 25, insert the following:

"§ 2. Such chapter is hereby amended by inserting therein a new section, to be section one hundred and twenty-one-a, to read as follows:

"§ 121-a. Appointment of umpire by court. When, in the event of any loss or damage to property in this state described in any policy of fire insurance and covered thereby, the ascertainment of the amount of any such loss or damage is, as provided in the policy, to be determinate by appraisers, one selected by the company the other by the insured, and the two so chosen shall have failed or neglected, for a space of ten days after both have been chosen, to agree upon and select an umpire, it shall be lawful for either the insured or the company to apply to any court of record in the county in which the property is or was located, on five days' notice in writing, to the other party of his

or its intention so to do, to appoint a competent and disinterested umpire. Any such notice in writing, when served by the insured, may be served upon any local agent of the company; and the said court shall, on proof by affidavit of the failure or neglect of the said appraisers to agree upon and select an umpire within the time aforesaid, and of the service of notice aforesaid, forthwith appoint a competent and disinterested person to act as umpire in the ascertainment of the amount of said loss or damage; and the acts of the umpire so appointed shall be binding upon the insured and the company to the same extent as if such umpire had been selected in the manner provided for in said policy of insurance.

“No policy of fire insurance shall be hereafter issued on property located in this State, unless the foregoing provisions of this section shall be printed on or attached thereto under the following title: ‘Provisions required by law to be stated in this policy.’”

Page 5, strike out line 25 and insert “§ 3. This act shall take effect June thirtieth, nineteen hundred and thirteen.”

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was recommitted Assembly bill introduced by Mr. Walker (No. 984, Int. No. 85), entitled “An act to amend the Insurance Law, in relation to surety companies,” reported the same, with the following amendments:

Page 7, line 4, before “under” insert a bracket “[ ”.

Line 5, strike out “eighty-six” and the brackets.

Line 6, insert a bracket “]” after “court” and before the ensuing period.

Line 8, insert a bracket “[ ” before “when”.

Line 11, insert a bracket “[ ” after “shall” and before “be” insert in italics “may”, inclose the words “given in” in brackets.

Line 14, inclose “to any of the said persons, bodies or officers” in brackets.

Line 15, before “Any” insert a bracket “[ ”.

Line 21, after the period insert a bracket “[ ” and strike out the remainder of line.

Strike out lines 22, 23 and 24.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Walker, from the committee on insurance, to which was referred Senate bill introduced by Mr. Ramsperger (No. 227, Rec. No. 42), entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates."

Also, Senate bill introduced by Mr. Ramsperger (No. 230, Rec. No. 41), entitled "An act to amend the Insurance Law, in relation to the by-laws of title, credit guaranty and securities guaranty corporations."

Also, Senate bill introduced by Mr. Ramsperger (No. 231, Rec. No. 82), entitled "An act to amend the Penal Law, in relation to acting for foreign insurance corporation which has not designated Superintendent of Insurance as attorney."

Also, Senate bill introduced by Mr. Ramsperger (No. 467, Rec. No. 78), entitled "An act to amend the Insurance Law, in relation to forms of policies or certificates of casualty insurance corporations upon the co-operative or assessment plan."

Also, Senate bill introduced by Mr. Ramsperger (No. 468, Rec. No. 80), entitled "An act to amend the Insurance Law, in relation to survival of indemnity, reinsurance and co-insurance in receiver and Superintendent of Insurance upon dissolution of insurance corporations."

Also, Senate bill introduced by Mr. Ramsperger (No. 654, Rec. No. 79), entitled "An act to amend the Insurance Law, in relation to misrepresentations by certain insurance corporations," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. T. K. Smith (No. 777, Int. No. 748), entitled "An act to amend the County Law, in relation to the establishment of county hospital for tuberculosis."

Also, Assembly bill introduced by Mr. Sweet (No. 1048, Int. No. 996), entitled "An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of



Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego, and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego," and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego,' and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto."

Also, Assembly bill introduced by Mr. O'Brien (No. 1188, Int. No. 1109), entitled "An act authorizing the board of town auditors of the town of White Plains to hear, audit, determine and allow the alleged claim of Alice Cox Anderson for services rendered the said town of White Plains as clerk of the board of assessors of said town, and to provide for the payment of such claim."

Also, Assembly bill introduced by Mr. O'Brien (No. 1187, Int. No. 1108), entitled "An act to amend the Town Law, in relation to the powers of supervisors and assessors in certain towns to employ clerks."

Also, Assembly bill introduced by Mr. Seaker (No. 413, Int. No. 411), entitled "An act to amend the Highway Law, in relation to the amount of State aid."

Also, Assembly bill introduced by Mr. Evans (No. 340, Int. No. 336), entitled "An act to amend the Highway Law, in relation to the amount of State aid," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 485, Int. No. 480) introduced by Mr. Sullivan, entitled "An act to amend chapter five hundred

and forty-seven of the Laws of eighteen hundred and ninety, entitled 'An act to make the office of county clerk of Chautauqua county a salaried office, and regulating the management of said office,' generally," reported in favor of the passage of the same, with the following amendments:

On page 1, line 1, strike out "s" in "sections" and the words "and eight".

On page 2, strike out all of lines 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

On page 3, strike out lines 1, 2, 3, 4 and 5.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Senate bill introduced by Mr. Healy (No. 373, Rec. No. 62), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McKee, from the committee on railroads, to which was referred Assembly bill (No. 45, Int. No. 45) introduced by Mr. Jackson, entitled "An act to amend chapter four hundred and eighty-one of the Laws of nineteen hundred and ten, being chapter forty-nine of the Consolidated Laws, known as the Railroad Law, by adding a section thereto prescribing the minimum number of employees to be employed in the operation of certain trains," reported in favor of the passage of the same, with the following amendment:

On page 2, line 7, strike out the words "passenger or" and insert in italics the following after the words "baggage train" "or a passenger train having a baggage car or baggage compartment."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cole, from the committee on agriculture, to which was referred Assembly bill introduced by Mr. Hover (No. 837, Int. No. 647), entitled "An act to amend the General Business Law, in relation to standard barrels for pears and quinces," reported in

favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Knight (No. 929, Int. No. 886), entitled "An act to amend the Code of Civil Procedure, in relation to costs of an execution on a contest," reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cuvillier (No. 1271, Int. No. 708), entitled "An act to amend the Military Law, in relation to the signal corps," reported the same with the following recommendations:

Page 5, line 8, strike out "s" in italic and insert "s" in roman in "adjutants".

Page 16, line 24, insert comma after "if".

Page 17, line 10, change "and by chapter one hundred and sixty-" in italics to roman.

Line 11, change "five of the laws of nineteen hundred\ and twelve" in italics to roman.

Page 18, line 1, strike out "s" after "dations".

Line 15, after "year" strike out ":" and insert ";".

Page 19, line 23, after "New York" insert comma.

Page 20, line 14, strike out last "s" in "estimates" in italics and insert "s" in roman.

Line 21, after "administration" strike out "of" and insert "by" in italics.

Line 22, insert comma after "first".

Page 22, line 13, strike out "[s]".

Page 25, line 7, change "and by chapter fifty-six of the laws of nineteen" in italics to roman.

Line 8, change "hundred and twelve" in italics to roman.

Line 14, after "artillery" strike out comma.

Line 21, after "hospital" insert comma.

Line 22, insert bracket before and after "separate".

Line 25, before "troop" insert "[separate]".

Line 25, before "battery" strike out "separate".

Page 26, line 6, after "hospital," insert "ambulance company," in italics.

Line 7, insert brackets before and after "separate".

Line 9, strike out brackets before and after "coast".

Line 10, change "an" in italics to roman.

- Line 10, strike out " [a coast] ".
- Line 12, strike out " [coast] ".
- Line 14, strike out " [coast] ".
- Line 17, after " regiments " insert comma.
- Lines 23 and 24, change all italicized words to roman.
- Lines 26 and 27, strike out entirely.
- Page 27, lines 5 and 6, strike out " [not parts of regiments] ".
- Line 15, strike out " and ambulance company " in italics and insert " and ambulance companies " in roman.
- Line 16, strike out " [department] ".
- Line 16, change " corps " in italics to roman.
- Page 28, line 8, strike out " r " in " officers ", first appearing.
- Lines 14 and 15, change all italicized words to roman.
- Line 20, change " for the " in italics to roman; change " chief of coast artillery " in italics to roman.
- Lines 23 and 24, strike out brackets and all words within brackets.
- Lines 24, 25 and 26, change all italicized words to roman.
- Page 29, line 12, strike out " [coast] ".
- Line 13, strike out " [coast] ".
- Line 15, strike out " [coast] ".
- Line 19, strike out comma after " engineers ".
- Line 19, strike out " [coast] ".
- Page 31, line 17, strike out brackets.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties." (No. 1089, Int. No. 1034.)

"An act to authorize the macadamizing or paving of streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor, and in connection therewith, in the village of White Plains, New York, Westchester county, and to provide the manner and means of paying therefor." (No. 1042, Int. No. 990.)

The bill (No. 1107, Int. No. 110) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the

Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally," having been announced for a second reading,

On motion of Mr. Grimme, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1198, Int. No. 1119) entitled "An act to amend chapter one hundred and forty-two of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Corning,' in relation to apparatus and buildings for fire prevention," was read the second time.

On motion of Mr. Brewster, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1155, Int. No. 1082) entitled "An act to amend the Greater New York charter, in relation to the powers of the commissioners of the sinking fund," was read the second time.

On motion of Mr. Donohue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 969, Int. No. 925) entitled "An act to authorize the city of Buffalo and the county of Erie to provide by agreement or otherwise for the transfer and conveyance of the city and county hall in said city, and the site on which it stands, and the acquisition of lands and construction of buildings for county and courthouse purposes or for city purposes; or for the improvement, enlargement or reconstruction of said city and county hall," was read the second time.

On motion of Mr. Dorst, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1288, Int. No. 1189) entitled "An act to amend the Education Law, in relation to free text books," was read the second time.

On motion of Mr. Fitzgerald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 721, Int. No. 693) entitled "An act to amend the Religious Corporations Law, in relation to the sale, mortgage and lease of real property of religious corporations," was read the second time.

On motion of Mr. Grimme, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 230, Int. No. 227) entitled "An act to amend the Canal Law, in relation to advances of moneys to division engineers, and drafts of money by the Superintendent of Public Works," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 231, Int. No. 228) entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of the State," having been announced for a second reading,

On motion of Mr. Bush, said bill was recommitted to the committee on ways and means, retaining its place on the order of second reading.

The bill (No. 1004, Int. No. 958) entitled "An act to expedite the work of improving the Oswego canal by providing for the suspension of navigation on a portion thereof during the season of nineteen hundred and thirteen," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1044, Int. No. 992) entitled "An act to amend the Labor Law, in relation to the physical examination of children employed in factories and cancellation of their employment certificates because of physical unfitness," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1015, Int. No. 969) entitled "An act to amend the Labor Law, in relation to protecting the lives, health and safety of employees in dangerous trades," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 525, Int. No. 514) entitled "An act to amend the Labor Law, in relation to protecting the health and morals of females employed in factories by providing an adequate period of rest at night," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 521, Int. No. 510) entitled "An act to amend the Labor Law, in relation to the clean, sanitary and safe conditions of factory buildings," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1303, Int. No. 1204) entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements confirmed after the first day of January, nineteen hundred and eight," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1304, Int. No. 1205) entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on public health be discharged from the further consideration of Senate bill (No. 961, Rec. No. 93) entitled "An act to amend the Public Health Law, in relation to the practice of undertaking and embalming and the licensing of undertakers and embalmers."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Bush, and by unanimous consent, said bill was read the second time and ordered to a third reading.

The bill (No. 1131, Int. No. 1058) entitled "An act to amend the Public Health Law, in relation to the practice of undertaking and embalming and the licensing of undertakers and embalmers," having been announced for a second reading,

On motion of Mr. Bush, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1156, Int. No. 1083) entitled "An act to amend chapter sixty-eight of the Laws of eighteen hundred and sixty,

entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' generally," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading.

On motion of Mr. Patrie, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yale
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The Senate bill (No. 849, Rec. No. 77) entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof, in relation to the salary of the sheriff, appointment and compensation of the sheriff's assistants and the



care and maintenance of jails and prisoners," was read the second time.

On motion of Mr. Emden, said bill was placed on the order of third reading.

On motion of Mr. Emden, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yale
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 1182, Int. No. 1103) entitled "An act to authorize the city of Troy to provide funds to pay its contract obligations and expenses for public improvements in said city," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 709, Int. No. 683) entitled "An act to amend the Greater New York charter, in relation to creating a new district for the municipal court of the borough of Brooklyn, changing the boundary lines of existing districts and providing for the election of one additional justice therefrom," was read the second time.

On motion of Mr. Schifferdecker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 371, Int. No. 367) entitled "An act to regulate and restrain the practice of midwifery in the city of Syracuse by others than legally authorized physicians," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 1215, Int. No. 1136) entitled "An act to amend the Public Health Law, in relation to violations of the provisions relating to pharmacy," was read the second time.

On motion of Mr. Ulrich said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 946, Int. No. 901) entitled "An act to amend the Village Law, in relation to the lien of water rents," was read the second time.

On motion of Mr. Van Woert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 932, Int. No. 889) entitled "An act to amend the Greater New York charter, in relation to the board of aldermen," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 600, Rec. No. 67) entitled "An act in relation to the holding of town meetings and elections in the county of Broome," was read the second time.

On motion of Mr. Wheeler, said bill was placed on the order of third reading.

The bill (No. 719, Int. No. 691) entitled "An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act entitled

"An act to incorporate the Green-Wood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the designation of those to be interred in alienable lots and the transfer of such lots in certain cases," was read the second time.

On motion of Mr. Esquirol, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 961, Int. No. 917) entitled "An act to legalize and confirm the acts of the town board of Shelter Island, in respect to the purchase and maintenance of a certain dock therein," was read the second time.

On motion of Mr. Fallon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 224, Int. No. 221) entitled "An act to amend the Judiciary Law, relative to the delivery and publication of opinions of justices of the Appellate Division," was read the second time.

On motion of Mr. Goldberg said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 376, Rec. No. 52) entitled "An act to legalize certain acts and proceedings of the town of Harrison, its officers, agents and taxpayers, in the county of Westchester, relating to the establishment of a sewer district for such town and to the sale and issuance of its bonds therefor, and the acts and proceedings of the village of Rye in said county, and of the Conservation Commission in connection therewith, and to provide for the payment of such bonds," was read the second time.

On motion of Mr. Healy, said bill was placed on the order of third reading.

The bill (No. 828, Int. No. 795) entitled "An act relating to the management and investment of the moneys and property constituting any endowment fund of 'The Rector and Inhabitants of the City of Albany, in Communion of the Protestant Episcopal Church in the State of New York,' generally known as Saint Peter's church of the city of Albany," was read the second time.

On motion of Mr. Hinman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1089, Int. No. 1034) entitled "An act to amend

the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties," was read the second time.

On motion of Mr. Rozan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 175, Int. No. 171) entitled "An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation," having been announced,

Mr. Cuvillier moved to postpone consideration of said bill until Monday, March 10th.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Debate was had, said bill was then read the second time.

On motion of Mr. Fitzgerald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1172, Int. No. 1093) entitled "An act to ratify all proceedings of the city of Jamestown, relating to the issuance and sale of one hundred and fifty thousand dollars water bonds, sold January twenty-second, nineteen hundred and thirteen, to authorize the execution and issuance of said bonds, to provide for the payment of the principal and interest of said bonds, and to authorize the resale of said bonds under certain conditions," was read the second time.

On motion of Mr. Jude, said bill was placed on the order of third reading.

On motion of Mr. Jude, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 111

NOES .00

Those who voted in the affirmative were:

Allen	Dox	Hover	McElligott	Small
Baumes	Edwards	Hughes	McGrath	Smith J A
Baxter	Emden	Ingram	McKee	Smith M
Bovie	Esquirol	Jackson	McKeon	Squire

Bradley	Evans	Jones	McMahon	Sufrin
Brereton	Fallon	Jude	Monahan	Sutphin
Brewster	Farrell	Kelly J A	Norton	Sweet
Bryant	Finnigan	Kelly J D	Oxford	Tallett
Burr	Fitzgerald	Kelly P J	Pappert	Taylor F J
Bush	Fuller	Kennedy	Patrie	Telford
Butts	Gage	Kerrigan	Pembleton	Tudor
Carroll	Gathright	Knight	Pullman	Ulrich
Carver	Geoghan	Knott	Richardson	Van Woert
Caughlan	Geyer	Kornobis	Robinson	Vert
Cole	Gibbs	Larrimer	Ro an	Volk
Cronin	Gillett	Lewis	Schaap	Walker
Cuvillier	Grace	Madden	Schwarz	Webb
Deitz	Grimme	Magee	Seaker	Willard
Dennen	Gurnett	Malone	Seely J L	Willmott
Denney	Hamilton	Maloney	Seelye G T	Wood
Donohue	Hinman	McCollum	Shepardson	Yale
Dorst	Horton	McCue	Silverstein	Yeomans
Doty				

Ordered, That the Clerk engross said bill and deliver the same to the Senate and request their concurrence therein.

The bill (No. 1250, Int. No. 1166) entitled "An act to amend the Indian Law, in relation to medical aid and attendance of Indians residing on the Onondaga reservation," was read the second time.

On motion of Mr. P. J. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 862, Int. No. 820) entitled "An act to suppress certain nuisances," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 629, Int. No. 609) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1311, Int. No. 1212) entitled "An act to amend chapter two hundred and sixty-one of the Laws of nineteen hundred and two, entitled 'An act to authorize the county of Albany to provide for the temporary detention of juvenile delinquents with the Mohawk and Hudson River Humane Society and make compensation therefor,' by authorizing said society to receive and detain in its houses of detention minors after arrest, before trial,

and pending their reception into some other institution," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 901, Int. No. 214) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally," having been announced for a third reading,

On motion of Mr. J. D. Kelly, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday, March 10th.

The bill (No. 1106, Int. No. 249) entitled "An act making an appropriation for surveys, field notes and manuscript maps affecting various canals and canal lands," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Dox	Hover	McElligott	Small
Baumes	Edwards	Hughes	McGrath	Smith J A
Baxter	Emden	Ingram	McKee	Smith M
Bovie	Esquirol	Jackson	McKeon	Squire
Bradley	Evans	Jones	McMahon	Sufrin
Brereton	Fallon	Jude	Monahan	Sutphin
Brewster	Farrell	Kelly J A	Norton	Sweet
Bryant	Finnigan	Kelly J D	Oxford	Tallett
Burr	Fitzgerald	Kelly P J	Pappert	Taylor F J
Bush	Fuller	Kennedy	Patrie	Telford
Butts	Gage	Kerrigan	Pembleton	Tudor
Carroll	Gathright	Knight	Pullman	Ulrich
Carver	Geoghan	Knott	Richardson	Van Woert
Caughlan	Geyer	Kornobis	Robinson	Vert
Cole	Gibbs	Larrimer	Rozan	Volk
Cronin	Gillett	Lewis	Schaap	Walker
Cuvillier	Grace	Madden	Schwarz	Webb

Deitz	Grimme	Magee	Seaker	Willard
Dennen	Gurnett	Malone	Seely J L	Wilmott
Danney	Hamilton	Maloney	Seelye G T	Wood
Donohue	Hinman	McCollum	Shepardson	Yard
Dorst	Horton	McCue	Silverstein	Yeomans
Doty				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Campbell offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the Senate bill (No. 645, Rec. No. 57) entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Campbell, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Campbell, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker

Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1345, Int. No. 890) entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed," having been announced for a third reading,

On motion of Mr. Campbell, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1346, Int. No. 830) entitled "An act to amend chapter one hundred and thirty-four of the Laws of eighteen hundred and ninety-one, entitled 'An act to incorporate the Church Insurance Association,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker



Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Malden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yale
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1344, Int. No. 120) entitled "An act to establish a fireman's pension fund and insurance fund in the city of Albany, and repealing certain acts in relation thereto known as chapter one hundred and seventy-three of the Laws of eighteen hundred and eighty-three, chapter three hundred and thirty-two of the Laws of eighteen hundred and eighty-five and chapter four hundred and eleven of the Laws of eighteen hundred and eighty-six," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tal'ett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pulman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1374, Int. No. 71) entitled "An act to amend the Penal Law, in relation to trade marks," having been announced for a third reading,

On motion of Mr. Knight, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1375, Int. No. 1061) entitled "An act to amend the Education Law, relative to the powers of voters of school districts, and extending the use of school buildings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gilbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1373, Int. No. 169) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the compensation and lien of attorneys and counsellors in said court," having been announced for a third reading,

On motion of Mr. Geyer, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1343, Int. No. 457) entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' generally, and abolishing the office of ward collector," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1376, Int. No. 910) entitled "An act to amend the Agricultural Law, in relation to commercial fertilizer," having been announced for a third reading,

On motion of Mr. Cole, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 306, Int. No. 302) entitled "An act to establish a commission on sites, grounds and buildings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D.	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 640, Int. No. 620) entitled "An act to amend the Membership Corporations Law, in relation to cemetery corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kiernan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Mage	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 924, Int. No. 881) entitled "An act to provide for existing deficit in funds available for support of the military establishment of the State, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. McKee offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on conservation be discharged from the further consideration of Senate bill (No. 88, Rec. No. 36) entitled "An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. McKee, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. McKee, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yale
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 84, Int. No. 84) entitled "An act to amend the Conservation Law, in relation to the taking of fish in Richmond county and Raritan bay," having been announced for a third reading,

On motion of Mr. McKee, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 115, Int. No. 115) entitled "An act to repeal section three hundred and thirty-two of the Conservation Law, in relation to nets in Far Rockaway bay, Jones' inlet or adjacent waters," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passeege.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yale
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 124, Int. No. 124) entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan crossing in Kings county," having been announced for a third reading,

On motion of Mr. Ingram, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday, March 11th.

The bill (No. 1040, Int. No. 988) entitled "An act to amend the General Business Law, in relation to pressing and marketing hay and straw," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 820, Int. No. 787) entitled "An act to amend the Conservation Law, in relation to the open season for wild deer, and number to be taken," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J

Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 815, Int. No. 782) entitled "An act to provide for a public park at Lake Ronkonkoma in Suffolk county, New York, for the perpetual enjoyment of the people of the State and to preserve it in its natural condition of scenic beauty," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1273, Int. No. 839) entitled "An act to amend the Greater New York charter, in relation to proceedings for street openings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1274, Int. No. 835) entitled "An act to amend the Town Law, in relation to fees of officers in criminal proceedings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edward	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1347, Int. No. 541) entitled "An act to amend the Town Law, in relation to the meetings of town auditors," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin

Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1279, Int. No. 400) entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals', in relation to jury trials in the boroughs of Queens and Richmond," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk

Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1280, Int. No. 139) entitled "An act to amend chapter one hundred and thirty-two of the Laws of nineteen hundred and eleven, entitled 'An act to provide for certain improvements in the channel and banks of the Mohawk river and West Canada creek, made necessary by the building of the barge canal, and making an appropriation therefor,'" was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1042, Int. No. 990) entitled "An act to authorize the macadamizing or paving of streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor, and in connection therewith, in the village of White Plains, New York, Westchester county, and to provide the manner and means of paying therefor, was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deits	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate returned the Assembly bill (No. 507, Senate Reprint No. 846, Int. No. 137) entitled "An act to amend the Second Class Cities Law, in relation to municipal lighting," with a

message that they have concurred in the passage of the same, with the following amendments:

Amend title by striking out all matter after word "amend" up to and including word "Laws" and insert in place thereof "the Second Class Cities Law".

Page 1, line 2, after word "nine" insert "entitled An act in relation to cities of the second class, constituting chapter fifty-three of the Consolidated Laws,".

Mr. Schwarz moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 110

NOES 00

Those who voted in the affirmative were:

Allen	Doty	Horton	McCue	Small
Baumes	Dox	Hover	McElligott	Smith J A
Baxter	Edwards	Hughes	McGrath	Smith M
Bovie	Emden	Ingram	McKee	Squire
Bradley	Esquirol	Jackson	McKeon	Sufrin
Brereton	Evans	Jones	McMahon	Sutphin
Brewster	Fallon	Jude	Monahan	Sweet
Bryant	Farrell	Kelly J A	Norton	Tallett
Burr	Finnigan	Kelly J D	Oxford	Taylor F J
Bush	Fitzgerald	Kelly P J	Patrie	Telford
Butts	Fuller	Kennedy	Pembleton	Tudor
Carroll	Gage	Kerrigan	Pullman	Ulrich
Carver	Gathright	Knight	Richardson	Van Woert
Caughlan	Geoghan	Knott	Robinson	Vert
Cole	Geyer	Kornobis	Rozan	Volk
Cronin	Gibbs	Larrimer	Schaap	Walker
Cuvillier	Gillett	Lewis	Schwarz	Webb
Deitz	Grace	Madden	Seaker	Willard
Dennen	Grimme	Magee	Seely J L	Willmott
Denney	Gurnett	Malone	Seelye G T	Wood
Donohue	Hamilton	Maloney	Shepardson	Yard
Dorst	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

By unanimous consent, Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:



Resolved, That the committee on the judiciary be discharged from the further consideration of the bill (No. 343, Int. No. 339), entitled "An act to amend the Judiciary Law, in relation to justices of the city court of the city of New York acting as official referees after retirement or resignation as justices."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Cuvillier moved to amend as follows:

In the second line of the title, after "New York" insert "and judges of the court of general sessions of the city and county of New York".

Page 1, line 7, insert in italics after "York" the following: "and ex-judges of the court of general sessions of the city and county of New York".

Page 2, line 2, after "New York" insert in italics: "or any judge or judges or former judge or judges of the court of general sessions of the city and county of New York", and in the same line strike out "a" and insert in italics: "such judge or", and strike out the words "of said".

Page 2, line 3, strike out "court".

Page 2, line 14, insert an italicized comma after "York".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Cuvillier, said bill was ordered reprinted and recommitted to said committee.

Mr. Fallon offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 240, Int. No. 237), entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the bill (No. 922, Int. No. 879) entitled "An act authorizing the city of Elmira to issue bonds for paving purposes," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Elmira.

The Senate returned the bill (No. 302, Int. No. 298) entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study."

Also, the bill (No. 608, Int. No. 123) entitled "An act to amend the Village Law, in relation to boards of commissioners."

Also, the bill (No. 505, Int. No. 284) entitled "An act to amend chapter one hundred and ninety-five of the Laws of eighteen hundred and eighty-four entitled 'An act to amend chapter one hundred and forty of the Laws of eighteen hundred and fifty-three, entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village," and the several acts amendatory thereof,' in relation to providing moneys by taxation for the village sanitary sewer system and extensions thereof."

Also, the bill (No. 892, Int. No. 850) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the Senate bill (No. 207, Assembly Reprint No. 1071, Rec. No. 4), entitled "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to exempted parts of the borough of Brooklyn, city of New York," with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the concurrent resolution recalling from

the Governor, for the purposes of amendment, Assembly bill (No. 240, Int. No. 237), entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Louis Van Hoesen, mayor of the city of Hudson, returning Assembly bill (No. 607, Int. No. 350), entitled "An act to authorize the city of Hudson to borrow money for street improvements, and to issue bonds of the city therefor," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 108, Int. No. 108), entitled "An act authorizing the common council and mayor of the city of Buffalo to lease or grant a right to use to abutting owners on the north side of Sienkiewicz place in said city a strip of land of said street not to exceed six feet in width," and a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER.

ALBANY, *February 27, 1913.*

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 240, Int. No. 237), entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate

and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts, amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling."

WILLIAM SULZER.

On motion of Mr. Bush, the House adjourned.

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FRIDAY, FEBRUARY 28, 1913.

The House met pursuant to adjournment.

Prayer by Rev. C. V. Kling.

On motion of Mr. Bush, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the report of the Secretary of State on Statistics of Crime, which was laid upon the table and ordered printed.

(See Assembly Document No. 40.)

Mr. Bryant introduced a bill entitled "An act to provide for the establishment of bird and game refuges by the Conservation Commission, and making an appropriation therefor" (Int. No. 1442), which was read the first time and referred to the committee on ways and means.

Mr. Campbell introduced a bill entitled "An act to amend the Penal Law, in relation to the sale or possession of cocaine" (Int. No. 1443), which was read the first time and referred to the committee on codes.

Mr. Hamilton introduced a bill entitled "An act to amend the Prison Law, in relation to pardons" (Int. No. 1444), which was read the first time and referred to the committee on penal institutions.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to the compensation of inspectors of public improvements" (Int. No. 1445), which was read the first time and referred to the committee on affairs of cities.

Mr. McElligott introduced a bill entitled "An act to amend the Labor Law, of the State of New York, in relation to the creation of a board of examiners, and providing for the issuance of licenses by the Commissioner of Labor" (Int. No. 1446), which was read the first time and referred to the committee on labor and industries.

Mr. Sweet introduced a bill entitled "An act to amend the Conservation Law, in relation to the open season for muskrat" (Int. No. 1447), which was read the first time and referred to the committee on conservation.

Mr. Squire introduced a bill entitled "An act to provide means for the completion and furnishing of the new Schenectady county jail and the furnishing of the new Schenectady county courthouse in the city of Schenectady, New York, for the use of the county of Schenectady" (Int. No. 1448), which was read the first time and referred to the committee on internal affairs.

Mr. Sufrin introduced a bill entitled "Concurrent resolution of the Senate and Assembly, proposing an amendment to sections one and fourteen of article three, section nine of article four, section four of article seven, section two of article twelve and section one of article fourteen of the Constitution of the State of New York, establishing a people's veto through the optional referendum, and a direct initiative by petition and at general or special elections" (Int. No. 1449), which was read the first time and referred to the committee on the judiciary.

Mr. Vert introduced a bill entitled "An act to amend the Election Law, relative to the designation of candidates for party nominations or for election to party positions" (Int. No. 1450), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Election Law, generally" (Int. No. 1451), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Election Law, relative to party nominations in a year when a Governor of the State is not to be elected" (Int. No. 1452), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Election Law, by providing a

separate ballot for candidates for judicial office" (Int. No. 1453), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Election Law, in relation to special enrollment where an independent body has become a party at a general election" (Int. No. 1454), which was read the first time and referred to the committee on the judiciary.

Also, "Concurrent resolution of the Senate and Assembly, proposing an amendment to sections one and two of article five of the Constitution, relative to the appointment of State officers by the Governor" (Int. No. 1455), which was read the first time and referred to the committee on the judiciary.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to standard provisions for certain casualty policies" (Int. No. 1456), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, relative to standard provisions for accident and health policies" (Int. No. 1457), which was read the first time and referred to the committee on insurance.

Mr. Cole introduced a bill entitled "An act to amend the General Municipal Law, in relation to fireproof roofing in cities and villages" (Int. No. 1458), which was read the first time and referred to the committee on affairs of cities.

Mr. Gurnett introduced a bill entitled "An act to amend the Conservation Law, in relation to the taking of lake trout with nets in Lake Seneca" (Int. No. 1459), which was read the first time and referred to the committee on conservation.

Also, "An act to amend the Conservation Law, in relation to the taking of hares and rabbits in the counties of Schuyler and Tompkins" (Int. No. 1460), which was read the first time and referred to the committee on conservation.

Also, "An act to amend the Highway Law, in relation to the establishment of a new State route in the county of Schuyler" (Int. No. 1461), which was read the first time and referred to the committee on internal affairs.

Mr. Hammer introduced a bill entitled "An act to amend the County Law, in relation to conferring on attorney-at-law the

powers of notaries public" (Int. No. 1462), which was read the first time and referred to the committee on general laws.

Mr. Machold introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to papers to be filed by general guardian" (Int. No. 1463), which was read the first time and referred to the committee on codes.

Also, "An act to provide for the submission of a proposition to the electors of the county of Jefferson authorizing the board of supervisors to expend not more than one hundred thousand dollars for acquiring a site and erecting a soldiers and sailors' memorial hall in the city of Watertown, and for the erection and jurisdiction thereof if so authorized" (Int. No. 1464), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Poor Law, in relation to empowering the board of supervisors to employ a chaplain at an almshouse" (Int. No. 1465), which was read the first time and referred to the committee on general laws.

Mr. McElligott introduced a bill entitled "An act to amend the Banking Law, in relation to the regulation and supervision of the sale of securities" (Int. No. 1466), which was read the first time and referred to the committee on banks.

Mr. Walker introduced a bill entitled "An act to amend the Public Buildings Law, in relation to the jurisdiction of the Trustees of Public Buildings" (Int. No. 1467), which was read the first time and referred to the committee on ways and means.

Mr. J. L. Seely introduced a bill entitled "An act to provide for dredging and straightening the Canisteo river from Hornell to Addison, and making an appropriation therefor" (Int. No. 1468), which was read the first time and referred to the committee on ways and means.

Mr. Schnirel introduced a bill entitled "An act to amend chapter three hundred and sixty of Laws of eighteen hundred and ninety-seven, entitled 'An act to incorporate the city of Geneva,' in relation to taxation in such city" (Int. No. 1469), which was read the first time and referred to the committee on affairs of cities.

Mr. Malone introduced a bill entitled "An act to provide for the acquisition of a farm site for the hygienic and antitoxin lab-

oratories of the State Department of Health, making an appropriation therefor, and also for the disposition of property now occupied for such purposes" (Int. No. 1470), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend the State Printing Law, in relation to the number of extra copies of certain reports to be printed as legislative documents" (Int. No. 1471), which was read the first time and referred to the committee on public printing.

Mr. McElligott introduced a bill entitled "An act to amend the Insanity Law, generally" (Int. No. 1472), which was read the first time and referred to the committee on general laws.

Mr. A. Greenberg offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 362, Int. No. 358), entitled "An act to amend the Legislative law, in relation to compensation for appearances in legislative matters," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill introduced by Mr. Gibbs (No. 1252, Int. No. 1168), entitled "An act to amend the Labor Law, in relation to fines imposed by employers upon workmen," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 1022, Int. No. 976) introduced by Mr. Jackson, entitled "An act to amend the Labor Law, in relation to washrooms, dressing rooms and water closets in factories," reported in favor of the passage of the same, with the following amendment:

Page 3, line 21, after the word "partment" insert the phrase "by adequate partitions."



which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 1019, Int. No. 973) introduced by Mr. Jackson, entitled "An act to amend the Labor Law, in relation to the protection of employees operating machinery, dust-creating machinery, and the lighting of factories and work-rooms," reported in favor of the passage of the same, with the following amendment:

Page 5, line 20, strike out the word "door" and insert in place thereof the word "floor".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 1026, Int. No. 980) introduced by Mr. Jackson, entitled "An act to amend the Penal Law, in relation to violations of the Labor Law, the industrial code, the rules and regulations of the industrial board of the Department of Labor and the orders of the Commissioner of Labor," reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, strike out word "commission" and insert in place thereof the word "commissioner."

Page 2, line 24, beginning with the word "and" strike out all down to and including the comma on line 26.

Page 3, line 1, strike out the word "punishable" and insert in place thereof the word "punished", after which insert a comma and the following clause: "except as in this chapter otherwise provided." After word "provided" insert a comma.

Page 3, line 9, beginning with the word "sections" strike out all down to and including the second "and" on line 10, also the bracket.

Page 3, line 11, strike out the word "are" and insert in place thereof the word "is".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 528, Int. No. 517) introduced by Mr. Jackson, entitled "An act to amend the Labor Law,

in relation to automatic sprinklers," reported in favor of the passage of the same, with the following amendments:

Page 1, line 9, after the word "used" insert a comma, after which the following clause is to be inserted: "and in which any manufacturing is carried on."

Page 2, line 10, after the word "floor" insert the following clause: "area as defined in section seventy-nine of subdivision two of this chapter."

Page 2, line 19, after the period insert the following sentence: "No person shall tamper with, or render ineffective, any portion of an automatic sprinkler system, except to repair the same."

Page 3, line 3, insert a bracket after the word "and" and about "also".

Page 3, line 3, strike out the first "the" and insert in place thereof the word "The".

Page 3, line 7, strike out the bracket.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 526, Int. No. 515) introduced by Mr. Jackson, entitled "An act to amend the Labor Law, in relation to fire alarm signal systems and fire drills," reported in favor of the passage of the same, with the following amendments:

Page 1, line 9, after the word "employed" insert the phrase "above the ground floor."

Page 2, line 1, after the period insert the following sentence: "The industrial board may make rules and regulations prescribing the number, kind and location of such signals."

Page 2, line 5, beginning with the word "such" strike out all down to and including the period on line 6, and insert in place thereof the following sentence: "No person shall tamper with, or render ineffective any portion of said system except to repair the same."

Page 2, line 25, beginning with the comma, strike out all down to and including the word "specify" on line 26.

Page 2, line 19, strike out the word "inaugurate" and also the comma and insert in place thereof the words "cause to be organized and shall."

Page 2, line 25, insert a period in place of the comma and strike out the remainder of the sentence.

Page 3, line 6, strike out the period and insert the words " or assistants " followed by a period.

Page 3, line 10, insert a bracket at close of sentence.

Page 3, line 10, insert a figure " 3 " and period.

Page 3, line 13, strike out the bracket.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 1045, Int. No. 993) introduced by Mr. Jackson, entitled "An act to amend the Labor Law, in relation to elevators and hoisting shafts in factory buildings," reported in favor of the passage of the same, with the following amendments:

Page 3, line 12, strike out the word " entire ".

Page 3, line 14, after the word " thereof " strike out the period and insert comma in place thereof, and immediately following the comma insert the following clause: " in accordance with such rules and regulations as may be adopted with reference thereto by the industrial board.".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Walker (No. 932, Int. No. 889), entitled "An act to amend the Greater New York charter, in relation to the board of aldermen."

Also, the bill introduced by Mr. Van Woert (No. 946, Int. No. 901), entitled "An act to amend the Village Law, in relation to the lien of water rents."

Also, the bill introduced by Mr. Jackson (No. 521, Int. No. 510), entitled "An act to amend the Labor Law, in relation to the clean, sanitary and safe condition of factory buildings."

Also, the bill introduced by Mr. Hearn (No. 230, Int. No. 227), entitled "An act to amend the Canal Law, in relation to advances of moneys to division engineers, and drafts of money by the Superintendent of Public Works."

Also, the bill introduced by Mr. Goldberg (No. 224, Int. No. 221), entitled "An act to amend the Judiciary Law, relative to the delivery and publication of opinions of justices of the Appellate Division."

Also, the bill introduced by Mr. Rozan (No. 1089, Int. No. 1034), entitled "An act to amend the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties."

Also, the bill introduced by Mr. O'Brien (No. 629, Int. No. 609), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages."

Also, the bill introduced by Mr. Fitzgerald (No. 175, Int. No. 171), entitled "An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation."

Also, the bill introduced by Mr. Schwarz (No. 1182, Int. No. 1103), entitled "An act to authorize the city of Troy to provide funds to pay its contract obligations and expenses for public improvements in said city."

Also, the bill introduced by Mr. Hearn (No. 1004, Int. No. 958), entitled "An act to expedite the work of improving the Oswego canal by providing for the suspension of navigation on a portion thereof during the season of nineteen hundred and thirteen."

Also, the bill introduced by Mr. Levy (No. 862, Int. No. 820), entitled "An act to suppress certain nuisances."

Also, the bill introduced by Mr. Dorst (No. 969, Int. No. 925), entitled "An act to authorize the city of Buffalo and the county of Erie to provide by agreement or otherwise for the transfer and conveyance of the city and county hall in said city, and the site on which it stands, and the acquisition of lands and construction of buildings for county and courthouse purposes or for city purposes; or for the improvement, enlargement or reconstruction of said city and county hall."

Also, the bill introduced by Mr. Fallon (No. 961, Int. No. 917), entitled "An act to legalize and confirm the acts of the town board of Shelter Island in respect to the purchase and maintenance of certain dock therein."

Also, the bill introduced by Mr. Hinman (No. 828, Int. No. 795), entitled "An act relating to the management and investment of the moneys and property constituting any endowment fund of 'The Rector and inhabitants of the City of Albany, in Communion of the Protestant Episcopal Church in the State of

New York,' generally known as Saint Peter's church of the city of Albany."

Also, the bill introduced by Mr. Schwarz (No. 1311, Int. No. 1212), entitled "An act to amend chapter two hundred and sixty-one of the Laws of nineteen hundred and two, entitled 'An act to authorize the county of Albany to provide for the temporary detention of juvenile delinquents with the Mohawk and Hudson River Humane Society and make compensation therefor,' by authorizing said society to receive and detail in its houses of detention minors after arrest, before trial, and pending their reception into some other institution."

Also, the bill introduced by Mr. McKee (No. 1304, Int. No. 1205), entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements."

Also, the bill introduced by Mr. McKee (No. 1303, Int. No. 1204), entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements confirmed after the first day of January, nineteen hundred and eight."

Also, the bill introduced by Mr. Fitzgerald (No. 1288, Int. No. 1189), entitled "An act to amend the Education Law, in relation to free text books."

Also, the bill introduced by Mr. P. J. Kelly (No. 1250, Int. No. 1166), entitled "An act to amend the Indian Law, in relation to medical aid and attendance of Indians residing on the Onondaga reservation."

Also, the bill introduced by Mr. Jackson (No. 1015, Int. No. 969), entitled "An act to amend the Labor Law, in relation to protecting the lives, health and safety of employees in dangerous trades."

Also, the bill introduced by Mr. Donohue (No. 1155, Int. No. 1082), entitled "An act to amend the Greater New York charter, in relation to the powers of the commissioners of the sinking fund."

Also, the bill introduced by Mr. Grimme (No. 721, Int. No. 693), entitled "An act to amend the Religious Corporations Law, in relation to the sale, mortgage and lease of real property of religious corporations."

Also, the bill introduced by Mr. Jackson (No. 1044, Int. No.

992), entitled "An act to amend the Labor Law, in relation to the physical examination of children employed in factories and cancellation of their employment certificates because of physical unfitness."

Also, the bill introduced by Mr. Jackson (No. 525, Int. No. 514), entitled "An act to amend the Labor Law, in relation to protecting the health and morals of females employed in factories by providing an adequate period of rest at night."

Also, the bill introduced by Mr. Ulrich (No. 1215, Int. No. 1136), entitled "An act to amend the Public Health Law, in relation to violations of the provisions relating to pharmacy," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Schifferdecker (No. 709, Int. No. 683), entitled "An act to amend the Greater New York charter, in relation to creating a new district for the municipal court of the borough of Brooklyn, changing the boundary lines of existing districts and providing for the election of one additional justice therefrom," reported the same with the following recommendations:

Page 1, line 3, insert comma after "one".

Page 2, lines 3 to 10, both inclusive, change entire paragraph to italic.

Line 24, insert comma after "avenue".

Page 4, line 11, strike out "Wykoff" and insert "Wyckoff".

Page 5, line 7, strike out comma after "wards".

Page 6, line 7, before "avenue" strike out "t" and insert "n" in italics.

Line 16, strike out "8" in roman and insert "8" in italics.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Esquirol (No. 719, Int. No. 691), entitled "An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act, entitled "An act to incorporate The Green-Wood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the

designation of those to be interred in alienable lots and the transfer of such lots in certain cases," reported the same with the following recommendations:

Page 1, in third line of title, strike out "-W " and insert " w ".

Line 3, strike out comma after " act "; strike out "-W " and insert " w ".

Page 2, lines 15 to 22, both inclusive, change to italics.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Brewster (No. 1198, Int. No. 1119), entitled "An act to amend chapter one hundred and forty-two of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Corning,' in relation to apparatus and buildings for fire prevention," reported the same with the following recommendations:

Page 1, lines 6 to 11, inclusive, change to italic.

Line 10, insert hyphen at end of line.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to authorize the city of Troy to provide funds to pay its contract obligations and expenses for public improvements in said city." (No. 1182, Int. No. 1103.)

"An act to ratify all proceedings of the city of Jamestown, relating to the issuance and sale of one hundred and fifty thousand dollars water bonds, sold January twenty-second, nineteen hundred and thirteen, to authorize the execution and issuance of said bonds, to provide for the payment of the principal and interest of said bonds, and to authorize the resale of said bonds under certain conditions." (No. 1172, Int. No. 1093.)

"An act to amend the Greater New York charter, in relation to the board of aldermen." (No. 932, Int. No. 889.)

"An act to amend the Canal Law, in relation to advances of moneys to division engineers, and drafts of money by the Superintendent of Public Works." (No. 230, Int. No. 227.)



"An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages." (No. 629, Int. No. 609.)

"An act to amend the Religious Corporations Law, in relation to the sale, mortgage and lease of real property of religious corporations. (No. 721, Int. No. 693.)

"An act to amend the Indian Law, in relation to medical aid and attendance of Indians residing on the Onondaga reservation." (No. 1250, Int. No. 1166.)

"An act to amend the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties." (No. 1089, Int. No. 1034.)

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 715, Int. No. 689), entitled "An act to amend the Greater New York charter, in relation to service of employees."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Cuvillier moved to amend as follows:

Page 1, strike out lines 6 to 9, inclusive, and insert in place thereof the following:

"§ 1568. Four hours upon any Saturday shall constitute a full day's work for all employees of any department or bureau of the city of New York. The head of a department or bureau shall have power to employ the subordinates of such department or bureau upon any legal holiday or may employ them upon Saturday in excess of the legal day's work above prescribed and may pay them compensation therefor at the rate of their usual wages or salaries. The provisions of this section shall apply to and include per diem employees, but shall not apply to the uniformed police and fire departments."

Page 2, strike out lines 1 to 4, inclusive.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Cuvillier, said bill was ordered reprinted and recommitted to said committee.



The bill (No. 423, Int. No. 421) entitled "An act to amend the Lien Law, in relation to the refiling of chattel mortgages and the entry thereof," was read the second time.

On motion of Mr. Pappert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1392, Int. No. 1282) entitled "An act to establish the New York commercial tercentenary commission and to prescribe the powers and duties thereof," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1183, Int. No. 1183) entitled "An act to authorize the Board of Claims to hear, audit and determine the claims of Louise B. Hill, Rowland F. Hill, Jr., George P. Hill, and Mary Louise Hill, legal representatives and successors in interest of Rowland F. Hill, deceased, against the State of New York," was read the second time.

On motion of Mr. Hammer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 925, Int. No. 882) entitled "An act making an appropriation for the payment of compensation for services of employees required for the care and maintenance of the State Education building," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 800, Int. No. 765) entitled "An act to amend the Benevolent Orders Law, in relation to the National Order of the Daughters of Isabella," was read the second time.

On motion of Mr. Emden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 808, Int. No. 775) entitled "An act to amend chapter five hundred and twenty-six of the Laws of nineteen hundred and ten, entitled 'An act providing for the construction of buildings and improvements for the New York State Training School for Boys, and making an appropriation therefor.' in relation to the allowance of fees and disbursements for witnesses in proceedings to acquire lands for the use of said institution," was read the second time.

On motion of Mr. Madden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 723, Int. No. 695) entitled "An act making provision for issuing bonds to the amount of not to exceed forty million dollars for the improvement of the canal system of the State by the extension of the Black River canal, the reconstruction of the Chemung canal, the conversion of the Glens Falls feeder into a canal, the construction of a canal between Flushing river and Jamaica bay, and for the purchase of lands required for said improvements, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and thirteen," was read the second time.

On motion of Mr. Jones, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 795, Int. No. 760) entitled "An act to build and equip a range of glass houses for teaching floriculture and vegetable culture at the New York State College of Agriculture at Cornell University, making an appropriation therefor and providing for the appointment of an advisory committee," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1194, Int. No. 1115) entitled "An act to amend the General Business Law, in relation to the manufacture and sale of tires for motor vehicles," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 810, Int. No. 777) entitled "An act to provide for the improvement of Sawyers creek in the city of North Tonawanda and the town of Wheatfield, Niagara county, and making an appropriation therefor," was read the second time.

On motion of Mr. McCollum, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 169, Int. No. 166) entitled "An act to provide for the completion of a dyke or dykes for the protection of property adjacent to the Delaware river in the town of Highland, in

the county of Sullivan, and making an appropriation therefor," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 843, Int. No. 801) entitled "An act making an appropriation for the expenses incident to the proceeding entitled 'The People of the State of New York, ex rel. Mary C. Thaw, against John W. Russell, medical superintendent of Matteawan State Hospital,' " was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 923, Int. No. 880) entitled "An act in relation to the Cuba reservoir and making an appropriation on account thereof," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday, March 10th.

The bill (No. 1034, Int. No. 982) entitled "An act to amend chapter five hundred and twenty of the Laws of nineteen hundred and twelve, entitled 'An act to provide for the alteration of the building known as the State House for the use of the Court of Appeals, making an appropriation therefor and reappropriating unexpended balances for perfecting plans for such alteration and reconstruction,' in relation to architect's compensation and modification of plans," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday, March 10th.

The bill (No. 189, Int. No. 186) entitled "An act to provide for the erection of a suitable monument to commemorate the services of the Twenty-fifth New York Volunteer Cavalry in the battle of Fort Stevens, and making an appropriation therefor," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday, March 10th.

The Senate bill (No. 723, Rec. No. 58) entitled "An act reappropriating the unexpended balance of the appropriation hereto-

fore made to the New York Interstate Bridge Commission, and making an additional appropriation therefor," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading.

The bill (No. 380, Int. No. 376) entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Cook Academy, at Montour Falls, in the county of Schuyler, and making an appropriation therefor," was read the second time.

On motion of Mr. Gurnett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 476, Int. No. 471) entitled "An act for the improvement of the tributaries of Black brook in Seneca county and making an appropriation therefor," was read the second time.

On motion of Mr. Hughes, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 373, Rec. No. 62) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 749, Int. No. 721) entitled "An act to establish a State school of agriculture in the county of Greene, and making an appropriation therefor," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 227, Rec. No. 42) entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 230, Rec. No. 41) entitled "An act to amend the Insurance Law, in relation to the by-laws of title, credit guaranty and securities guaranty corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 231, Rec. No. 82) entitled "An act to amend the Penal Law, in relation to acting for foreign insurance corporation which has not designated Superintendent of Insurance as attorney," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 467, Rec. No. 78) entitled "An act to amend the Insurance Law, in relation to forms of policies or certificates of casualty insurance corporations upon the co-operative or assessment plan," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 468, Rec. No. 80) entitled "An act to amend the Insurance Law, in relation to survival of indemnity, reinsurance and co-insurance in receiver and Superintendent of Insurance upon dissolution of insurance corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The Senate bill (No. 654, Rec. No. 79) entitled "An act to amend the Insurance Law, in relation to misrepresentations by certain insurance corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The bill (No. 777, Int. No. 748) entitled "An act to amend the County Law, in relation to the establishment of county hospital for tuberculosis," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 100, Int. No. 100) entitled "An act to amend the Penal Law, in relation to the issuance or circulation of false literature by insurance corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 101, Int. No. 101) entitled "An act to amend the Insurance Law, in relation to life or casualty insurance corpora-

tions upon the co-operative or assessment plan," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 94, Int. No. 94) entitled "An act to amend the Penal Law, in relation to discriminations and rebates by corporations transacting the business of life insurance on the co-operative or assessment plan," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 92, Int. No. 92) entitled "An act to amend the General Corporation Law, in relation to the extension of corporate existence of insurance and banking corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 88, Int. No. 88) entitled "An act to amend the Stock Corporation Law, in relation to the certificate of increase or reduction of capital stock of a banking or insurance corporation," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 300, Int. No. 296) entitled "An act to amend the Insurance Law, in relation to the capital of title, credit guaranty and securities guaranty corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 296, Int. No. 292) entitled "An act to amend the Insurance Law, in relation to capital requirements," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 297, Int. No. 293) entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 997, Int. No. 951) entitled "An act to amend the

Insurance Law, in relation to the incorporation of fire insurance corporations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1173, Int. No. 1094) entitled "An act to provide for making surveys for improving and extending the canal system of the State, and making an appropriation therefor," was read the second time.

On motion of Mr. Willmott, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 340, Int. No. 336) entitled "An act to amend the Highway Law, in relation to the amount of State aid," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 413, Int. No. 411) entitled "An act to amend the Highway Law, in relation to the amount of State aid," was read the second time.

On motion of Mr. Seaker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1187, Int. No. 1108) entitled "An act to amend the Town Law, in relation to the powers of supervisors and assessors in certain towns to employ clerks," was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1188, Int. No. 1109) entitled "An act authorizing the board of town auditors of the town of White Plains to hear, audit, determine and allow the alleged claim of Alice Cox Anderson for services rendered the said town of White Plains as clerk of the board of assessors of said town, and to provide for the payment of such claim," was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 691, Int. No. 665) entitled "An act to amend the Conservation Law, in relation to the propagation of game and to the application therefor of fees for hunting and trapping licenses," was read the second time.



On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1048, Int. No. 996) entitled "An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego," and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight and the acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,' and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto," was read the second time.

On motion of Mr. Sweet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 837, Int. No. 647) entitled "An act to amend the General Business Law, in relation to standard barrels for pears and quinces," was read the second time.

On motion of Mr. Hover, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 544, Int. No. 530) entitled "An act to amend the Code of Civil Procedure, in relation to the compensation of constables, deputy sheriffs and jurors," was read the second time.

On motion of Mr. J. A. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 276, Int. 272) entitled "An act to amend section fifteen hundred and sixty-nine of the Code of Civil Procedure, in



relation to the payment of a gross sum in lieu of dower," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 638, Int. No. 618) entitled "An act to amend section seventeen of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' as amended by chapter six hundred and three of the Laws of nineteen hundred and seven, in relation to hour for opening of court," was read the second time.

On motion of Mr. Ward, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1319, Int. No. 1220) entitled "An act to declare the effect of the appearance by the Attorney-General in a proceeding in the surrogate's court of the county of Putnam for the disposition of the real property of Caroline Palmer, deceased, for the payment of debts and funeral expenses," was read the second time.

On motion of Mr. Yale, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 676, Int. No. 650) entitled "An act to amend the Code of Civil Procedure, in relation to service of summons without the State," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 362, Int. No. 358), entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Bush, the House adjourned.

## MONDAY, MARCH 3, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Edward A. Walsh, Troy, N. Y.

On motion of Mr. Levy, the reading of the journal of Friday, February 28th was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

“An act to amend the Code of Civil Procedure, in relation to the compensation of constables, deputy sheriffs and jurors” (No. 425, Rec. No. 103), which was read the first time and referred to the committee on codes.

“An act to amend the Code of Criminal Procedure, relative to the appointment of stenographers to take evidence before grand juries and at coroners’ inquests and examinations and trials of criminal cases and their compensation and payment” (No. 1021, Rec. No. 104), which was read the first time and referred to the committee on codes.

“An act to amend the Town Law, in relation to the appointment of special constables” (No. 1022, Rec. No. 105), which was read the first time and referred to the committee on internal affairs.

“An act to amend the Code of Civil Procedure, in relation to examination of subscribing witnesses to a will” (No. 817, Rec. No. 106), which was read the first time and referred to the committee on codes.

“An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled ‘An act to revise the charter of the city of Binghamton,’ in relation to appropriations for hospital purposes” (No. 700, Rec. No. 107), which was read the first time and referred to the committee on affairs of cities.

“An act to amend chapter one hundred and eighty-three of the Laws of nineteen hundred and seven, entitled ‘An act to establish a police pension fund for the city of Schenectady, New York,’ in relation to the composition and distribution of such fund” (No. 1024, Rec. No. 108), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Town Law, in relation to fees of officers in criminal proceedings” (No. 1013, Rec. No. 109), which was

read the first time and referred to the committee on internal affairs.

“An act to amend chapter three hundred and twenty-three of the Laws of eighteen hundred and seventy-two, entitled ‘An act authorizing the election of a receiver of taxes and assessments for the town and village of Saratoga Springs,’ in relation to collecting interest on village funds from the depositaries of the same” (No. 1019, Rec. No. 110), which was read the first time and referred to the committee on affairs of villages.

Mr. Baxter introduced a bill entitled “An act to provide for the retention and maintenance of portions of the present Champlain and Erie canals in the counties of Saratoga and Albany for navigation purposes after the completion of the Barge canal” (Int. No. 1473), which was read the first time and referred to the committee on canals.

Mr. Cuvillier introduced a bill entitled “An act to amend the Military Law, in relation to the compensation of laborers in armories” (Int. No. 1474), which was read the first time and referred to the committee on military affairs.

Also, “An act to license brokers trading in stocks, bonds or other securities, or in commodities, and inspection by the Superintendent of Banks” (Int. No. 1475), which was read the first time and referred to the committee on the judiciary.

Also, “An act to amend the Penal Law, in relation to listing or trading in securities” (Int. No. 1476), which was read the first time and referred to the committee on codes.

Mr. Vert introduced a bill entitled “An act to amend the Election Law, in relation to special registration of voters” (Int. No. 1477), which was read the first time and referred to the committee on the judiciary.

Mr. Fallon, by request, introduced a bill entitled “An act to provide for the acquisition of land for a game farm to be situated on Long Island, and making an appropriation therefor” (Int. No. 1478), which was read the first time and referred to the committee on ways and means.

Mr. Phillips introduced a bill entitled “An act to amend the Education Law, in relation to instruction in the prevention of accidents” (Int. No. 1479), which was read the first time and referred to the committee on public education.

Mr. Vert introduced a bill entitled "An act to amend the Election Law, relative to independent nominations for public office" (Int. No. 1480), which was read the first time and referred to the committee on the judiciary.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to investments of domestic life insurance corporations" (Int. No. 1481), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the powers of certain corporations incorporated under article two of such chapter" (Int. No. 1482), which was read the first time and referred to the committee on insurance.

Mr. Willmott introduced a bill entitled "An act to amend the Greater New York charter, in relation to the construction of recreation piers" (Int. No. 1483), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' in relation to the adoption of routes" (Int. No. 1484), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to provide for the laying out of certain streets in the borough of Brooklyn, city of New York" (Int. No. 1485), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to setting apart a pier for recreation purposes at the foot of Green street, borough of Brooklyn" (Int. No. 1486), which was read the first time and referred to the committee on affairs of cities.

Mr. O'Brien introduced a bill entitled "An act regulating the price of gas and electricity in the county of Westchester" (Int. No. 1487), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to payments on public con-

tracts" (Int. No. 1488), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General Business Law, in relation to the sale of theatre tickets" (Int. No. 1489), which was read the first time and referred to the committee on general laws.

Mr. Baxter introduced a bill entitled "An act to provide for the maintenance of navigation on the Champlain and Erie canals by reconstructing or rebuilding the dam across the Mohawk river between Waterford and Cohoes at or near the site of the present dam, and making an appropriation therefor" (Int. No. 1490), which was read the first time and referred to the committee on ways and means.

Mr. Dox introduced a bill entitled "An act to amend the Banking Law, in relation to deposits in State banks" (Int. No. 1491), which was read the first time and referred to the committee on banks.

Mr. Dorst introduced a bill entitled "An act to amend the Railroad Law, in relation to the alteration of existing crossings of highways and steam surface railroads" (Int. No. 1492), which was read the first time and referred to the committee on railroads.

Mr. Geoghan introduced a bill entitled "An act to authorize the board of trustees of the police pension fund of the city of Buffalo, in their discretion, to increase pensions heretofore granted to widows of former members of the police force" (Int. No. 1493), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act providing for the grant and conveyance by the Commissioners of the Land Office of lands under water to the owners of the adjacent uplands in the sea wall and Hamburg turnpike contracts, and establishing the boundaries of such lands" (Int. No. 1494), which was read the first time and referred to the committee on ways and means.

Also, "An act to continue the commission created by chapter five hundred and sixty-one of the Laws of nineteen hundred and eleven, entitled 'An act to create a commission to investigate the conditions under which manufacture is carried on in cities of the first and second class in this State, and making appropriation therefor,' and to enlarge the scope of the investigation of the

commission and making an appropriation therefor" (Int. No. 1495), which was read the first time and referred to the committee on ways and means.

Mr. J. T. Seelye introduced a bill entitled "An act making provision for issuing bonds to the amount of not exceeding five million dollars for the construction of a storage dam and reservoir at Conklingville on the Sacandaga river for the regulation of the flow of the Hudson river and the improvement of navigation, and for the erection of a hydro-electric plant thereat for the Saratoga district" (Int. No. 1496), which was read the first time and referred to the committee on ways and means.

Mr. Fuller introduced a bill entitled "An act to provide for reimbursing the town of Western, in the county of Oneida, for uncollected taxes therein for the year nineteen hundred and nine upon lands taken by the State for barge canal purposes after the assessment and before the levy thereof, and making an appropriation therefor" (Int. No. 1497), which was read the first time and referred to the committee on ways and means.

Mr. McKee introduced a bill entitled "An act to amend the Education Law, relative to the tenure of superintendents, principals and teachers in certain cities and union free school districts" (Int. No. 1498), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Education Law, relative to the establishment and maintenance of temporary schools in camps and other places of temporary habitation" (Int. No. 1499), which was read the first time and referred to the committee on public education.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Walker (No. 88, Int. No. 88), entitled "An act to amend the Stock Corporation Law, in relation to the certificate of increase or reduction of capital stock of a banking or insurance corporation."

Also, the bill introduced by Mr. Walker (No. 300, Int. No. 296), entitled "An act to amend the Insurance Law, in relation to the capital of title, credit guaranty and securities guaranty corporations."

Also, the bill introduced by Mr. Walker (No. 297, Int. No.

293), entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates."

Also, the bill introduced by Mr. Seaker (No. 413, Int. No. 411), entitled "An act to amend the Highway Law, in relation to the amount of State aid."

Also, the bill introduced by Mr. Evans (No. 340, Int. 336), entitled "An act to amend the Highway Law, in relation to the amount of State aid."

Also, the bill introduced by Mr. O'Brien (No. 1187, Int. No. 1108), entitled "An act to amend the Town Law, in relation to the powers of supervisors and assessors in certain towns to employ clerks."

Also, the bill introduced by Mr. T. K. Smith (No. 691, Int. No. 665), entitled "An act to amend the Conservation Law, in relation to the propagation of game and to the application therefor of fees for hunting and trapping licenses."

Also, the bill introduced by Mr. Sweet (No. 1048, Int. No. 996), entitled "An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego," and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,' and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto."



Also, the bill introduced by Mr. Hover (No. 837, Int. No. 765), entitled "An act to amend the Benevolent Orders Law, in relation to standard barrels for pears and quinces."

Also, the bill introduced by Mr. McGrath (No. 276, Int. No. 272), entitled "An act to amend section fifteen hundred and sixty-nine of the Code of Civil Procedure, in relation to the payment of a gross sum in lieu of dower."

Also, the bill introduced by Mr. J. A. Smith (No. 544, Int. No. 530), entitled "An act to amend the Code of Civil Procedure, in relation to the compensation of constables, deputy sheriffs and jurors."

Also, the bill introduced by Mr. Ward (No. 638, Int. No. 618), entitled "An act to amend section seventeen of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' as amended by chapter six hundred and three of the Laws of nineteen hundred and seven, in relation to hour for opening of court."

Also, the bill introduced by Mr. McElligott (No. 676, Int. No. 650), entitled "An act to amend the Code of Civil Procedure, in relation to service of summons without the State."

Also, the bill introduced by Mr. Walker (No. 94, Int. No. 94), entitled "An act to amend the Penal Law, in relation to discriminations and rebates by corporations transacting the business of life insurance on the co-operative or assessment plan."

Also, the bill introduced by Mr. Walker (No. 100, Int. No. 100), entitled "An act to amend the Penal Law, in relation to the issuance or circulation of false literature by insurance corporations."

Also, the bill introduced by Mr. T. K. Smith (No. 777, Int. No. 748), entitled "An act to amend the County Law, in relation to the establishment of county hospital for tuberculosis."

Also, the bill introduced by Mr. Emden (No. 800, Int. No. 765), entitled "An act to amend the Benevolent Orders Law, in relation to the National Order of the Daughters of Isabella."

Also, the bill introduced by Mr. Madden (No. 808, Int. No. 775), entitled "An act to amend chapter five hundred and twenty-six of the Laws of nineteen hundred and ten, entitled 'An act



providing for the construction of buildings and improvements for the New York State Training School for Boys, and making an appropriation therefor,' in relation to the allowance of fees and disbursements for witnesses in proceedings to acquire lands for the use of said institution."

Also, the bill introduced by Mr. Pappert (No. 423, Int. No. 421), entitled "An act to amend the Lien Law, in relation to the refiling of chattel mortgages and the entry thereof."

Also, the bill introduced by Mr. Walker (No. 296, Int. No. 292), entitled "An act to amend the Insurance Law, in relation to capital requirements."

Also, the bill introduced by Mr. McElligott (No. 1392, Int. No. 1282), entitled "An act to establish the New York commercial tercentenary commission, and to prescribe the powers and duties thereof."

Also, the bill introduced by Mr. Bush (No. 925, Int. No. 882), entitled "An act making an appropriation for the payment of compensation for services of employees required for the care and maintenance of the State Education building."

Also, the bill introduced by Mr. Jones (No. 723, Int. No. 695), entitled "An act making provision for issuing bonds to the amount of not to exceed forty million dollars for the improvement of the canal system of the State by the extension of the Black River canal, the reconstruction of the Chemung canal, the conversion of the Glens Falls feeder into a canal, the construction of a canal between Flushing river and Jamaica bay, and for the purchase of lands required for said improvements, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundrd and thirteen."

Also, the bill introduced by Mr. Jackson (No. 795, Int. No. 760), entitled "An act to build and equip a range of glass houses for teaching floriculture and vegetable culture at the New York State College of Agriculture at Cornell University, making an appropriation therefor, and providing for the appointment of an advisory committee."

Also, the bill introduced by Mr. McCollum (No. 810, Int. No. 777), entitled "An act to provide for the improvement of Sawyers creek in the city of North Tonawanda and the town of Wheatfield, Niagara county, and making an appropriation therefor."

Also, the bill introduced by Mr. Evans (No. 169, Int. No. 166), entitled "An act to provide for the completion of a dyke or dykes for the protection of property adjacent to the Delaware river in the town of Highland, in the county of Sullivan, and making an appropriation therefor."

Also, the bill introduced by Mr. Bush (No. 843, Int. No. 801), entitled "An act making an appropriation for the expenses incident to the proceeding entitled 'The People of the State of New York, ex rel. Mary C. Thaw, against John W. Russell, medical superintendent of Matteawan State Hospital.'"

Also, the bill introduced by Mr. Hughes (No. 476, Int. No. 471), entitled "An act for the improvement of the tributaries of Black brook in Seneca county, and making an appropriation therefor."

Also, the bill introduced by Mr. Patrie (No. 749, Int. No. 721), entitled "An act to establish a State school of agriculture in the county of Greene, and making an appropriation therefor."

Also, the bill introduced by Mr. Willmott (No. 1173, Int. No. 1094), entitled "An act to provide for making surveys for improving and extending the canal system of the State, and making an appropriation therefor."

Also, the bill introduced by Mr. O'Brien (No. 1188, Int. No. 1109), entitled "An act authorizing the board of town auditors of the town of White Plains to hear, audit, determine and allow the alleged claim of Alice Cox Anderson for services rendered the said town of White Plains as clerk of the board of assessors of said town, and to provide for the payment of such claim."

Also, the bill introduced by Mr. Yale (No. 1319, Int. No. 1220), entitled "An act to declare the effect of the appearance by the Attorney-General in a proceeding in the surrogate's court of the county of Putnam for the disposition of the real property of Caroline Palmer, deceased, for the payment of debts and funeral expenses."

Also, the bill introduced by Mr. Hammer (No. 1183, Int. No. 1104), entitled "An act to authorize the Board of Claims to hear, audit and determine the claims of Louise B. Hill, Rowland F. Hill, Jr., George P. Hill, and Mary Louise Hill, legal representatives and successors in interest of Rowland F. Hill, deceased, against the State of New York."

Also, the bill introduced by Mr. Walker (No. 101, Int. No. 101), entitled "An act to amend the Insurance Law, in relation to life or casualty insurance corporations upon the co-operative or assessment plan."

Also, the bill introduced by Mr. Walker (No. 92, Int. No. 92), entitled "An act to amend the General Corporation Law, in relation to the extension of corporate existence of insurance and banking corporations."

Also, the bill introduced by Mr. Walker (No. 997, Int. No. 951), entitled "An act to amend the Insurance Law, in relation to the incorporation of fire insurance corporations."

Also, the bill introduced by Mr. Gurnett (No. 380, Int. No. 376), entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Cook Academy, at Montour Falls, in the county of Schuyler, and making an appropriation therefor," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Code of Civil Procedure, in relation to costs of an executor on a contest." (No. 929, Int. No. 886.)

"An act to amend the Second Class Cities Law, relative to designation of official papers." (No. 1455, Int. No. 377.)

"An act to suppress certain nuisances." (No. 862, Int. No. 820.)

"An act relating to the management and investment of the moneys and property constituting any endowment fund of 'The Rector and Inhabitants of the City of Albany, in Communion of the Protestant Episcopal Church in the State of New York,' generally known as Saint Peter's church of the city of Albany." (No. 828, Int. No. 795.)

"An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million." (No. 133, Int. No. 131.)

"An act to expedite the work of improving the Oswego canal by providing for the suspension of navigation of a portion thereof during the season of nineteen hundred and thirteen." (No. 1004, Int. No. 958.)

“An act to amend the Village Law, in relation to the lien of water rents.” (No. 946, Int. No. 901.)

“An act to legalize and confirm the acts of the town board of Shelter Island in respect to the purchase and maintenance of a certain dock therein.” (No. 961, Int. No. 917.)

“An act to amend the Greater New York charter, in relation to assessments for local improvements.” (No. 1304, Int. No. 1205.)

“An act to authorize the city of Buffalo and the county of Erie to provide by agreement or otherwise for the transfer and conveyance of the city and county hall in said city, and the site on which it stands, and the acquisition of lands and construction of buildings for county and courthouse purposes or for city purposes; or for the improvement, enlargement or reconstruction of said city and county hall.” (No. 969, Int. No. 925.)

“An act to ratify all proceedings of the city of Jamestown, relating to the issuance and sale of one hundred and fifty thousand dollars water bonds, sold January twenty-second, nineteen hundred and thirteen, to authorize the execution and issuance of said bonds, to provide for the payment of the principal and interest of said bonds, and to authorize the resale of said bonds under certain conditions.” (No. 1172, Int. No. 1093.)

“An act to amend the Greater New York charter, in relation to the board of aldermen.” (No. 932, Int. No. 889.)

“An act to amend the Canal Law, in relation to advances of moneys to division engineers, and drafts of money by the Superintendent of Public Works.” (No. 230, Int. No. 227.)

“An act to amend the Indian Law, in relation to medical aid and attendance of Indians residing on the Onondaga reservation.” (No. 1250, Int. No. 1166.)

“An act to authorize the city of Troy to provide funds to pay its contract obligations and expenses for public improvements in said city.” (No. 1182, Int. No. 1103.)

“An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages.” (No. 629, Int. No. 609.)

“An act to amend the Religious Corporations Law, in relation to the sale, mortgage and lease of real property of religious corporations.” (No. 721, Int. No. 693.)

"An act to amend the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties." (No. 1089, Int. No. 1034.)

The bill (No. 1112, Int. No. 326) entitled "An act to amend the Highway Law, generally," having been announced for a second reading,

On motion of Mr. Evans, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1107, Int. No. 110) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally," was read the second time.

On motion of Mr. Grimme, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 471, Int. No. 466) entitled "An act to amend the Greater New York charter, in relation to vacations for employees," was read the second time.

On motion of Mr. Burr, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 731, Int. No. 703) entitled "An act to repeal section thirteen of the Decedent Estate Law, in relation to devises of real property to aliens," was read the second time.

On motion of Mr. Burr, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1275, Int. No. 704) entitled "An act to amend the Real Property Law, in relation to tenure of real property by aliens," was read the second time.

On motion of Mr. Burr, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1472, Int. No. 516) entitled "An act to amend the Labor Law, in relation to seats in factories and other establishments for female employees," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1473, Int. No. 1159) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine," was read the second time.

On motion of Mr. Oxford, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1474, Int. No. 119) entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks," was read the second time.

On motion of Mr. Weil, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1475, Int. No. 215) entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings," was read the second time.

On motion of Mr. P. J. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1476, Int. No. 496) entitled "An act to amend the Civil Service Law, in relation to vacations and leaves of absence for employees," was read the second time.

On motion of Mr. Denney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1477, Int. No. 906) entitled "An act to amend the Stock Corporation Law, in relation to the regulating and supervision of investment companies," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1478, Int. No. 1111) entitled "An act to legalize certain acts and proceedings of the former village of Saint Regis Falls, its voters, officers and agents, dissolving such village, and to confirm and make effectual such dissolution," was read the second time.

On motion of Mr. Macdonald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1479, Int. No. 519) entitled "An act to amend the Labor Law, in relation to clealiness of workrooms in factories," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1480, Int. No. 1268) entitled "An act to amend the Labor Law, in relation to the organization of the Department of Labor and its various bureaus, the creation of an industrial board, and the extension of the department's jurisdiction over mercantile establishments in cities of the second class," having been announced for a second reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1517, Int. No. 467) entitled "An act to amend the Greater New York charter, in relation to commissioners of deeds," was read the second time.

On motion of Mr. Burr, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1522, Int. No. 726) entitled "An act to amend the Conservation Law, in relation to taking certain fish in Ten Mile river in the town of Dover in the county of Dutchess," was read the second time.

On motion of Mr. M. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1523, Int. No. 849) entitled "An act to amend the Conservation Law, in relation to hooking suckers through the ice in Sullivan county," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1524, Int. No. 480) entitled "An act to amend chapter five hundred and forty-seven of the Laws of eighteen hundred and ninety, entitled 'An act to make the office of county clerk of Chautauqua county a salaried office, and regulating the management of said office,' generally," was read the second time.



On motion of Mr. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1525, Int. No. 294) entitled "An act to amend the Insurance Law, in relation to the contents of advertisements," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1526, Int. No. 45) entitled "An act to amend chapter four hundred and eighty-one of the Laws of nineteen hundred and ten, being chapter forty-nine of the Consolidated Laws, known as the Railroad Law, by adding a section thereto prescribing the minimum number of employees to be employed in the operation of certain trains," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1521, Int. No. 583) entitled "An act to amend the Lien Law, in relation to liens by jewelers and silversmiths upon personal property," was read the second time.

On motion of Mr. Brewster, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1527, Int. No. 573) entitled "An act to amend the General Business Law, in relation to establishing the standard of four pound grape basket," was read the second time.

On motion of Mr. Gillett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1528, Int. No. 933) entitled "An act to authorize the use of certain land owned by the State in Ulster county for a game farm, and making an appropriation for the equipment and stocking thereof," was read the second time.

On motion of Mr. Kenney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1529, Int. No. 60) entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the Union bridge crossing the Hudson river between the counties of Saratoga and Rensselaer," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.



The bill (No. 1530, Int. No. 59) entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the bridge of the Stillwater Bridge Company crossing the Hudson river between the counties of Saratoga and Rensselaer," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1194, Int. No. 1115) entitled "An act to amend the General Business Law, in relation to the manufacture and sale of tires for motor vehicles," was read the second time.

On motion of Mr. Oxford, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1252, Int. No. 1168) entitled "An act to amend the Labor Law, in relation to fines imposed by employers upon workmen," was read the second time.

On motion of Mr. Gibbs, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 373, Rec. No. 62) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading.

The bill (No. 927, Int. No. 884) entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same," having been announced for a third reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1230, Int. No. 63) entitled "An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester," having been announced for a third reading,

On motion of Mr. Bovie, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 376, Rec. No. 52) entitled "An act to

legalize certain acts and proceedings of the town of Harrison, its officers, agents and taxpayers, in the county of Westchester, relating to the establishment of a sewer district for such town and to the sale and issuance of its bonds therefor, and the acts and proceedings of the village of Rye in said county, and of the Conservation Commission in connection therewith, and to provide for the payment of such bonds," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 600, Rec. No. 67) entitled "An act in relation to the holding of town meetings and elections in the county of Broome," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hopkins	McGrath	Small
Baxter	Eisner	Hover	McMahon	Smith J A
Benninger	Emden	Hughes	Monahan	Smith M
Bovie	Evans	Ingram	Norton	Squire
Bradley	Fallon	Jackson	O'Brien	Sutphin
Brereton	Finnigan	Jude	O'Connor	Sweet
Brewster	Fitzgerald	Kane	Oxford	Tallett
Bryant	Fuller	Kelly J A	Patrie	Taylor F J
Burden	Gage	Kelly J J	Pembleton	Taylor T D
Burr	Gallup	Knight	Pullman	Telford
Butts	Geoghan	Knott	Richardson	Tudor
Carroll	Geyer	Larrimer	Robinson	Ulrich
Cole	Gibbs	Levy	Rozan	Van Woert
Cronin	Gillett	Lewis	Schaap	Walker
Daley	Goldberg	Madden	Schnirel	Webb
Deitz	Grace	Magee	Schwarz	Weil
Dennen	Grimme	Malone	Seaker	Willard
Denney	Gurnett	Maloney	Seely J L	Wood
Donohue	Hamilton	McCollum	Seelye G T	Yale
Dorst	Hammer	McCue	Shepardson	Yard
Doty	Hinman	McDaniels	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1089, Int. No. 1034) entitled "An act to amend the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 961, Rec. No. 93) entitled "An act to amend the Public Health Law, in relation to the practice of undertaking and embalming and the licensing of undertakers and embalmers," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hopkins	McGrath	Small
Baxter	Eisner	Hover	McMahon	Smith J A
Benninger	Emden	Hughes	Monahan	Smith M
Bovie	Evans	Ingram	Norton	Squire
Bradley	Fallon	Jackson	O'Brien	Sutphin
Brereton	Finnigan	Jude	O'Connor	Sweet
Brewster	Fitzgerald	Kane	Oxford	Tallett
Bryant	Fuller	Kelly J A	Patrie	Taylor F J
Burden	Gage	Kelly J J	Pembleton	Taylor T D
Burr	Gallup	Knight	Pullman	Telford
Butts	Geoghan	Knott	Richardson	Tudor
Carroll	Geyer	Larrimer	Robinson	Ulrich
Cole	Gibbs	Levy	Rozan	Van Woert
Cronin	Gillett	Lewis	Schaap	Walker
Daley	Goldberg	Madden	Schnirel	Webb
Deitz	Grace	Magee	Schwarz	Weil
Dennen	Grimme	Malone	Seaker	Willard
Denney	Gurnett	Maloney	Seely J L	Wood
Donohue	Hamilton	McCollum	Seelye G T	Yale
Dorst	Hammer	McCue	Shepardson	Yard
Doty	Hinman	McDaniels	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 654, Int. No. 79) entitled "An act to amend the Insurance Law, in relation to misrepresentations by certain insurance corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hopkins	McGrath	Small
Baxter	Eisner	Hover	McMahon	Smith J A
Benninger	Emden	Hughes	Monahan	Smith M
Bovie	Evans	Ingram	Norton	Squire
Bradley	Fallon	Jackson	O'Brien	Sutphin
Brereton	Finnigan	Jude	O'Connor	Sweet
Brewster	Fitzgerald	Kane	Oxford	Tallett
Bryant	Fuller	Kelly J A	Patrie	Taylor F J
Burden	Gage	Kelly J J	Pembleton	Taylor T D
Burr	Gallup	Knight	Pullman	Telford
Butts	Geoghan	Knott	Richardson	Tudor
Carroll	Geyer	Larrimer	Robinson	Ulrich
Cole	Gibbs	Levy	Rozan	Van Woert
Cronin	Gillett	Lewis	Schaap	Walker
Daley	Goldberg	Madden	Schnirel	Webb
Deitz	Grace	Magee	Schwarz	Weil
Dennen	Grimme	Malone	Seaker	Willard
Denney	Gurnett	Maloney	Seely J L	Wood
Donohue	Hamilton	McCollum	Seelye G T	Yale
Dorst	Hammer	McCue	Shepardson	Yard
Doty	Hinman	McDaniels	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 468, Rec. No. 80) entitled "An act to amend the Insurance Law, in relation to survival of indemnity, reinsurance and coinsurance in receiver and Superintendent of Insurance upon dissolution of insurance corporations," having been announced for a third reading,

On motion of Mr. Walker, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 467, Rec. No. 78) entitled "An act to

amend the Insurance Law, in relation to forms of policies or certificates of casualty insurance corporations upon the co-operative or assessment plan," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hopkins	McGrath	Small
Baxter	Eisner	Hover	McMahon	Smith J A
Benninger	Emden	Hughes	Monahan	Smith M
Bovie	Evans	Ingram	Norton	Squire
Bradley	Fallon	Jackson	O'Brien	Sutphin
Brereton	Finnigan	Jude	O'Connor	Sweet
Brewster	Fitzgerald	Kane	Oxford	Tallett
Bryant	Fuller	Kelly J A	Patrie	Taylor F J
Burden	Gage	Kelly J J	Pembleton	Taylor T D
Burr	Gallup	Knight	Pullman	Telford
Butts	Geoghan	Knott	Richardson	Tudor
Carroll	Geyer	Larrimer	Robinson	Ulrich
Cole	Gibbs	Levy	Rozan	Van Woert
Cronin	Gillen	Lewis	Schaap	Walker
Daley	Goldberg	Madden	Schnirel	Webb
Deitz	Grace	Magee	Schwarz	Weil
Dennen	Grimme	Malone	Seaker	Willard
Denney	Gurnett	Maloney	Seely J L	Wood
Donohue	Hamilton	McCollum	Seelye G T	Yale
Dorst	Hammer	McCue	Shepardson	Yard
Doty	Hinman	McDaniels	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 231, Rec. No. 82) entitled "An act to amend the Penal Law, in relation to acting for foreign insurance corporation which has not designated Superintendent of Insurance as attorney," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hopkins	McGrath	Small
Baxter	Eisner	Hover	McMahon	Smith J A
Benninger	Emden	Hughes	Monahan	Smith M
Bovie	Evans	Ingram	Norton	Squire
Bradley	Fallon	Jackson	O'Brien	Sutphin
Brereton	Finnigan	Jude	O'Connor	Sweet
Brewster	Fitzgerald	Kane	Oxford	Tallett
Bryant	Fuller	Kelly J A	Patrie	Taylor F J
Burden	Gage	Kelly J J	Pembleton	Taylor T D
Burr	Gallup	Knight	Pullman	Telford
Butts	Geoghan	Knott	Richardson	Tudor
Carroll	Geyer	Larrimer	Robinson	Ulrich
Cole	Gibbs	Levy	Rozan	Van Woert
Cronin	Gillen	Lewis	Schaap	Walker
Daley	Goldberg	Madden	Schnirel	Webb
Deitz	Grace	Magee	Schwarz	Weil
Dennen	Grimme	Malone	Seaker	Willard
Denney	Gurnett	Maloney	Seely J L	Wood
Donohue	Hamilton	McCollum	Seelye G T	Yale
Dorst	Hammer	McCue	Shepardson	Yard
Doty	Hinman	McDaniels	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 230, Rec. No. 41) entitled "An act to amend the Insurance Law, in relation to the by-laws of title, credit guaranty and securities guaranty corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hopkins	McGrath	Small
Baxter	Eisner	Hover	McMahon	Smith J A
Benninger	Emden	Hughes	Monahan	Smith M
Bovie	Evans	Ingram	Norton	Squire
Bradley	Fallon	Jackson	O'Brien	Sutphin
Brereton	Finnigan	Jude	O'Connor	Sweet
Brewster	Fitzgerald	Kane	Oxford	Tallett

Bryant	Fuller	Kelly J A	Patrie	Taylor F J
Burden	Gage	Kelly J J	Pembleton	Taylor T D
Burr	Gallup	Knight	Pullman	Telford
Butts	Geoghan	Knott	Richardson	Tudor
Carroll	Geyer	Larrimer	Robinson	Ulrich
Cole	Gibbs	Levy	Rozan	Van Woert
Cronin	Gillett	Lewis	Schaap	Walker
Daley	Goldberg	Madden	Schnirel	Webb
Deitz	Grace	Magee	Schwarz	Weil
Dennen	Grimme	Malone	Seaker	Willard
Denney	Gurnett	Maloney	Seely J L	Wood
Donohue	Hamilton	McCollum	Seelye G T	Yale
Doty	Hammer	McCue	Shepardson	Yard
Dox	Hinman	McDaniels	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 227, Rec. No. 42) entitled "An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hopkins	McGrath	Small
Baxter	Eisner	Hover	McMahon	Smith J A
Benninger	Emden	Hughes	Monahan	Smith M
Bovie	Evans	Ingram	Norton	Squire
Bradley	Fallon	Jackson	O'Brien	Sutphin
Brereton	Finnigan	Jude	O'Connor	Sweet
Brewster	Fitzgerald	Kane	Oxford	Tallett
Bryant	Fuller	Kelly J A	Patrie	Taylor F J
Burden	Gage	Kelly J J	Pembleton	Taylor T D
Burr	Gallup	Knight	Pullman	Telford
Butts	Geoghan	Knott	Richardson	Tudor
Carroll	Geyer	Larrimer	Robinson	Ulrich
Cole	Gibbs	Levy	Rozan	Van Woert
Cronin	Gillett	Lewis	Schaap	Walker
Daley	Goldberg	Madden	Schnirel	Webb
Deitz	Grace	Magee	Schwarz	Weil
Dennen	Grimme	Malone	Seaker	Willard
Denney	Gurnett	Maloney	Seely J L	Wood
Donohue	Hamilton	McCollum	Seelye G T	Yale
Doty	Hammer	McCue	Shepardson	Yard
Dox	Hinman	McDaniels	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 723, Rec. No. 58) entitled "An act re-appropriating the unexpended balance of the appropriation heretofore made to the New York Interstate Bridge Commission, and making an additional appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 105

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hopkins	McGrath	Small
Baxter	Eisner	Hover	McMahon	Smith J A
Benninger	Emden	Hughes	Monahan	Smith M
Bovie	Evans	Ingram	Norton	Squire
Bradley	Fallon	Jackson	O'Brien	Sutphin
Brereton	Finnigan	Jude	O'Connor	Sweet
Brewster	Fitzgerald	Kane	Oxford	Tallett
Bryant	Fuller	Kelly J A	Patrie	Taylor F J
Burden	Gage	Kelly J J	Pembleton	Taylor T D
Burr	Gallup	Knight	Pullman	Telford
Butts	Geoghan	Knott	Richardson	Tudor
Carroll	Geyer	Larrimer	Robinson	Ulrich
Cole	Gibbs	Levy	Rozan	Van Woert
Cronin	Gillett	Lewis	Schaap	Walker
Daley	Goldberg	Madden	Schnirel	Webb
Deitz	Grace	Magee	Schwarz	Weil
Dennen	Grimme	Malone	Seaker	Willard
Denney	Gurnett	Maloney	Seely J L	Wood
Donohue	Hamilton	McCollum	Seelye G T	Yale
Doty	Hammer	McCue	Shepardson	Yard
Dox	Hinman	McDaniels	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1121, Int. No. 863) entitled "An act to amend section one hundred and fifty-eight of chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount



Vernon,' in relation to the annual meeting of the common council," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

Also, the bill (No. 1120, Int. No. 865) entitled "An act to amend chapter seventy-five of the Laws of nineteen hundred and ten, entitled 'An act authorizing and empowering the city of Mount Vernon to acquire lands for a site and to improve the same, or a site already possessed, and to erect a municipal building or buildings thereon, and to issue bonds for the purpose of purchasing or otherwise acquiring, improving and erecting the same,' in relation to the amount of such bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

Also, the bill (No. 1063, Int. No. 1011) entitled "An act to amend chapter six hundred and seventy-six of the Laws of nineteen hundred and seven, entitled 'An act to authorize the extension of Riverside park, in the city of New York, by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation by the corporation known as The Robert Fulton Monument Association of the City of New York,' generally," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 107, Int. No. 107) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' as amended by chapter three hundred and thirty-nine of the Laws of nineteen hundred and ten, in relation to compensation of jurors in said court," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, the bill (No. 237, Int. No. 234) entitled "An act to authorize the board of estimate and apportionment of the city of New York to inquire into, audit and cause the payment of the claims of Antonio M. Caridi, Theodore Palumbo, Frank V. Bruno and Alfred Bertoncini for services rendered to the said city," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 1076, Int. No. 1021) entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the fourth international congress on school hygiene to be held in said city and for the benefit of the public health," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

The Senate returned the bill (No. 829, Int. No. 796) entitled "An act to amend the Village Law, in relation to the compensation of collectors."

Also, the bill (No. 138, Int. No. 136) entitled "An act to release the interest of the State of New York in the property and estate of Margaret E. Tompkins, deceased, to the heirs and next of kin of Noah D. Tompkins, deceased."

Also, the bill (No. 712, Int. No. 686) entitled "An act to amend the Code of Civil Procedure, relating to the place of trial of actions to recover damages for injuries to real estate situated without the State."

Also, the bill (No. 685, Int. No. 711) entitled "An act to amend the Code of Civil Procedure, relating to when a foreign corporation may be sued."

Also, the bill (No. 535, Int. No. 521) entitled "An act to amend chapter one hundred and thirty-seven of the Laws of nineteen hundred and eleven, entitled 'An act to authorize the county of Franklin to construct and maintain a county road system in said county, and to authorize the board of supervisors thereof to issue the bonds of said county in the aggregate amount of five hundred

thousand dollars for such county road system,' in relation to funds applicable to the purpose of said act."

Also, the bill (No. 710, Int. No. 684) entitled "An act to amend chapter fifty-one of the Laws of nineteen hundred and nine, entitled 'An act in relation to public officers, constituting chapter forty-seven of the Consolidated Laws,' known as the Public Officers Law."

Also, the bill (No. 247, Int. No. 244) entitled "An act to amend the Military Law, in relation to pay of officers serving on boards, commissions and courts."

Also, the bill (No. 194, Int. No. 191) entitled "An act to amend the Town Law, in relation to licensing public vehicles and entertainments."

Also, the bill (No. 172, Int. No. 173) entitled "An act to amend the Code of Civil Procedure, in relation to notices of pendency of action."

Also, the bill (No. 96, Int. No. 96) entitled "An act to amend the Insurance Law, in relation to the sale of the securities of insurance corporations and of corporations organized to promote or hold the capital stock of insurance corporations," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Levy, the consideration of the concurrent resolution petitioning Congress in relation to the proposed investigation of the National Monetary System, heretofore set down for this day, was postponed until Monday next.

On motion of Mr. Levy, the House adjourned.

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## TUESDAY, MARCH 4, 1913.

The House met pursuant to adjournment.

Prayer by Rev. William H. Edwards, Amsterdam, N. Y.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Burr introduced a bill entitled "An act to authorize the Comptroller of the State of New York to hear and determine

the application of the owners of certain lands in Kings county for cancellation of a tax sale upon paying the amount charged against the same " (Int. No. 1500), which was read the first time and referred to the committee on the judiciary.

Mr. Bush introduced a bill entitled "An act to amend the Public Health Law, in relation to sales of drugs and to physicians' prescriptions " (Int. No. 1501), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Penal Law, in relation to prescriptions of opium, morphine, codeine and chloral " (Int. No. 1502), which was read the first time and referred to the committee on codes.

Mr. Burr introduced a bill entitled "An act to amend chapter three hundred and ninety of the Laws of nineteen hundred and nine, entitled 'An act to authorize the acquisition of a site for, and the construction of a courthouse in the county of Kings, and to provide for the maintenance thereof,' in relation to a commission therefor " (Int. No. 1503), which was read the first time and referred to the committee on affairs of cities.

Mr. Van Woert introduced a bill entitled "An act to create a commission to inquire into the present distribution of population throughout the State of New York, into any causes for imperfect or incomplete distribution, and any methods to secure better and fuller distribution, and making an appropriation for the expenses of said commission " (Int. No. 1504), which was read the first time and referred to the committee on ways and means.

Mr. Lewis introduced a bill entitled "An act to amend the Greater New York charter, relative to the apportionment of assessments on undivided parcels of real estate " (Int. No. 1505), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Penal Law, in relation to the conviction of any person for murder in the first degree " (Int. No. 1506), which was read the first time and referred to the committee on codes.

Mr. Wood introduced a bill entitled "An act to amend the Real Property Law, in relation to sale of real property held by tenant for life with remainders over to persons whose identity is un-

known" (Int. No. 1507), which was read the first time and referred to the committee on the judiciary.

Also, "An act to change the date of the annual meeting of Prospect Hill Cemetery Association" (Int. No. 1508), which was read the first time and referred to the committee on the judiciary.

Mr. Gathright introduced a bill entitled "An act to amend the General Municipal Law, in relation to licensing of cats, for the purpose of protecting insectivorous and song birds" (Int. No. 1509), which was read the first time and referred to the committee on general laws.

Mr. Sufrin introduced a bill entitled "An act to amend section five hundred and forty-six of chapter twenty-two of the Laws of nineteen hundred and nine, in reference to a statement of campaign receipts and payments, compelling publicity for all sums of money expended" (Int. No. 1510), which was read the first time and referred to the committee on the judiciary.

Mr. Schaap introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to causes where a warrant of attachment against property may be granted" (Int. No. 1511), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to the designation of a person upon whom to serve a summons" (Int. No. 1512), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to substituted service upon a resident or domestic corporation" (Int. No. 1513), which was read the first time and referred to the committee on codes.

Mr. McKee introduced a bill entitled "An act to amend the Greater New York charter, in relation to reports by the board of education" (Int. No. 1514), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter six hundred and eighty-seven of the Laws of nineteen hundred and eleven, entitled "An act authorizing the board of aldermen of the city of New York, to audit, allow and certify to the comptroller for payment, as charges

against said city, the reasonable expenses for medical and surgical treatment and maintenance of the mayor or other officer or employee of the city of New York for gun shot wounds or personal injuries, and authorizing the comptroller to audit and pay such charges,' in relation to extending the provisions of such chapter to county and borough officers" (Int. No. 1515), which was read the first time and referred to the committee on affairs of cities.

Mr. Bovie introduced a bill entitled "An act to amend the Railroad Law, in relation to providing for the inspection of the work by the municipality in which new crossings shall be constructed and for the expenses thereof" (Int. No. 1516), which was read the first time and referred to the committee on railroads.

By unanimous consent, Mr. McGrath introduced a bill entitled "An act to amend the Highway Law, in relation to motor vehicles" (Int. No. 1517), which was read the first time and referred to the committee on internal affairs.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. Hamilton (No. 883, Int. No. 871), entitled "An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. Evans (No. 171, Int. No. 168), entitled "An act to amend the Penal Law, in relation to certain railroad employees," reported the same, with the following amendments:

On page 1, line 6, bracket out "unable to read".

On page 2, line 17, bracket out "Amendment" and insert "act".

Line 11, strike out "act"; insert "section".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Penal Law, in relation to discrimina-

tions and rebates by corporations transacting the business of life insurance on the co-operative or assessment plan." (No. 94, Int. No. 94.)

"An act to amend the Code of Civil Procedure, in relation to the compensation of constables, deputy sheriffs and jurors." (No. 544, Int. No. 530.)

"An act to amend the Insurance Law, in relation to the capital of title, credit guaranty and securities guaranty corporations." (No. 300, Int. No. 296.)

"An act to provide for the completion of a dyke or dykes for the protection of property adjacent to the Delaware river in the town of Highland, in the county of Sullivan, and making an appropriation therefor." (No. 169, Int. No. 166.)

"An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation." (No. 175, Int. No. 171.)

"An act to amend the Labor Law, in relation to protecting the health and morals of females employed in factories by providing an adequate period of rest at night." (No. 525, Int. No. 514.)

"An act to amend the Judiciary Law, relative to the delivery and publication of opinions of justices of the Appellate Division." (No. 224, Int. No. 221.)

"An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences." (No. 1513, Int. No. 655.)

"An act to amend the General Corporation Law, in relation to the extension of corporation existence of insurance and banking corporations." (No. 92, Int. No. 92.)

"An act to amend the Highway Law, in relation to the amount of State aid." (No. 413, Int. No. 411.)

"An act to amend the Conservation Law, in relation to the propagation of game and to the application therefor of fees for hunting and trapping licenses." (No. 691, Int. No. 665.)

"An act to amend the Highway Law, in relation to the amount of State aid." (No. 340, Int. No. 336.)

"An act to provide for making surveys for improving and extending the canal system of the State, and making an appropriation therefor." (No. 1173, Int. No. 1094.)

"An act to authorize the Board of Claims to hear, audit and

determine the claims of Louise B. Hill, Rowland F. Hill, Jr., George P. Hill, and Mary Louise Hill, legal representatives and successors in interest of Rowland F. Hill, deceased, against the State of New York." (No. 1183, Int. No. 1104.)

"An act to provide for the improvement of Sawyers creek in the city of North Tonawanda and the town of Wheatfield, Niagara county, and making an appropriation therefor." (No. 810, Int. No. 777.)

"An act making an appropriation for the expenses incident to the proceeding entitled 'The People of the State of New York, ex rel. Mary C. Thaw, against John W. Russell, medical superintendent of Matteawan State Hospital.'" (No. 843, Int. No. 801.)

"An act to amend the Insurance Law, in relation to life or casualty insurance corporations upon the co-operative or assessment plan." (No. 101, Int. No. 101.)

"An act to amend the Insurance Law, in relation to capital requirements." (No. 296, Int. No. 292.)

"An act for the improvement of the tributaries of Black brook in Seneca county, and making an appropriation therefor." (No. 476, Int. No. 471.)

"An act to amend chapter two hundred and sixty-one of the Laws of nineteen hundred and two, entitled 'An act to authorize the county of Albany to provide for the temporary detention of juvenile delinquents with the Mohawk and Hudson River Humane Society and make compensation therefor,' by authorizing said society to receive and detain in its houses of detention minors after arrest, before trial, and pending their reception into some other institution." (No. 1311, Int. No. 1212.)

"An act to amend the Labor Law, in relation to protecting the lives, health and safety of employees in dangerous trades." (No. 1015, Int. No. 969.)

"An act to amend the Insurance Law, in relation to the incorporation of fire insurance corporations." (No. 997, Int. No. 951.)

"An act making an appropriation for the payment of compensation for services of employees required for the care and maintenance of the State Education building." (No. 925, Int. No. 882.)

"An act to establish a State school of agriculture in the county



of Greene, and making an appropriation therefor." (No. 749, Int. No. 721.)

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo." (No. 1377, Int. No. 263.)

"An act to authorize the city of Troy to borrow moneys and to issue bonds therefor, for the water works department of said city, and to provide for the payment of said bonds." (No. 1378, Int. No. 561.)

"An act to declare the effect of the appearance by the Attorney-General in a proceeding in the surrogate's court of the county of Putnam for the disposition of the real property of Caroline Palmer, deceased, for the payment of debts and funeral expenses." (No. 1319, Int. No. 1220.)

"An act to amend chapter five hundred and twenty-six of the Laws of nineteen hundred and ten, entitled 'An act providing for the construction of buildings and improvements for the New York State Training School for Boys, and making an appropriation therefor,' in relation to the allowance of fees and disbursements for witnesses in the proceedings to acquire lands for the use of said institution." (No. 808, Int. No. 775.)

"An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego," and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,' and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and convey-

ances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto." (No. 1048, Int. No. 996.)

"An act to amend the Benevolent Orders Law, in relation to the National Order of the Daughters of Isabella." (No. 800, Int. No. 765.)

"An act to amend the Insurance Law, in relation to reorganization of existing corporations and amendment of certificates." (No. 297, Int. No. 293.)

"An act to amend the Public Health Law, in relation to the registration of nurses." (No. 1458, Int. No. 311.)

"An act to amend the Conservation Law, in relation to the open season for water fowl on Long Island." (No. 1457, Int. No. 117.)

"An act to amend the Education Law, relative to the consolidation of districts by a vote of a district meeting." (No. 1456, Int. No. 1062.)

"An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons." (No. 1269, Int. No. 501.)

The bill (No. 400, Int. No. 397) entitled "An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served," was read the second time.

On motion of Mr. Cotillo, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1592, Int. No. 875) entitled "An act to amend the Insurance Law, in relation to the standard fire insurance policy of the State of New York and the adjustment of losses thereunder," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1593, Int. No. 515) entitled "An act to amend the Labor Law, in relation to fire alarm signal systems and fire drills," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1594, Int. No. 517) entitled "An act to amend the Labor Law, in relation to automatic sprinklers," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1595, Int. No. 973) entitled "An act to amend the Labor Law, in relation to the protection of employees operating machinery, dust creating machinery, and the lighting of factories and work rooms," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1596, Int. No. 976) entitled "An act to amend the Labor Law, in relation to washrooms, dressing rooms and water closets in factories," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1597, Int. No. 980) entitled "An act to amend the Penal Law, in relation to violations of provisions of the Labor Law, the industrial code, the rules and regulations of the industrial board of the Department of Labor and the orders of the Commissioner of Labor," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1598, Int. No. 993) entitled "An act to amend the Labor Law, in relation to elevators and hoisting shafts in factory buildings," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1480, Int. No. 1268) entitled "An act to amend the Labor Law, in relation to the organization of the Department of Labor and its various bureaus, the creation of an industrial board, and the extension of the Department's jurisdiction over mercantile establishments in cities of the second class," having been announced for a second reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the second reading calendar for Thursday next.

The bill (No. 789, Int. No. 36) entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," having been announced for a third reading,

On motion of Mr. Jackson, said bill was recommitted to the committee on ways and means, retaining its place on the order of third reading.

The bill (No. 743, Int. No. 715) entitled "An act to authorize appeals in certain proceedings brought by the city of New York for acquiring property in the borough of Manhattan, city of New York, for bridge purposes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. McGrath offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Senate bill (No. 879, Rec. No. 85), entitled "An act to amend the Real Property Law, in relation to creation and division of estates."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. McGrath, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. McGrath and by unanimous consent, said bill was read the third time, having been printed and in the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 646, Int. No. 626) entitled "An act to amend the Real Property Law, in relation to creation and division of estates," having been announced for a third reading,

On motion of Mr. McGrath, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1376, Int. No. 910) entitled "An act to amend the Agricultural Law, in relation to commercial fertilizer," having been announced for a third reading,

On motion of Mr. Cole, said bill was recommitted to the committee on agriculture, retaining its place on the order of third reading.

The bill (No. 1230, Int. No. 63) entitled "An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester," having been announced for a third reading,

On motion of Mr. Bovie, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 862, Int. No. 820) entitled "An act to suppress certain nuisances," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford

Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 946, Int. No. 901) entitled "An act to amend the Village Law, in relation to the lien of water rents," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edward	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1304, Int. No. 1205) entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements," having been announced for a third reading,

On motion of Mr. McKee, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1004, Int. No. 958) entitled "An act to expedite the work of improving the Oswego canal by providing for the suspension of navigation on a portion thereof during the season of nineteen hundred and thirteen," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pemberton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Volk
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 828, Int. No. 795) entitled "An act relating to the management and investment of the moneys and property con-



stituting any endowment fund of 'The Rector and Inhabitants of the City of Albany, in Communion of the Protestant Episcopal Church in the State of New York,' generally known as Saint Peter's Church of the city of Albany," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Volk
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 969, Int. No. 925) entitled "An act to authorize the city of Buffalo and the county of Erie to provide by agreement or otherwise for the transfer and conveyance of the city and county hall in said city, and the site on which it stands, and the acquisition of lands and construction of buildings for county and courthouse purposes or for city purposes; or for the improvement, enlargement or reconstruction of said city and county hall," was

read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert .
Caughlan	Grace	Levy	Rozan	Volk
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 929, Int. No. 886) entitled "An act to amend the Code of Civil Procedure, in relation to costs of an executor on a contest," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 133, Int. No. 131) entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities over one million," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1182, Int. No. 1103) entitled "An act to authorize the city of Troy to provide funds to pay its contract obligations and expenses for public improvements in said city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 230, Int. No. 227) entitled "An act to amend the Canal Law, in relation to advances of moneys to division engineers and drafts of money by the Superintendent of Public Works," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J

Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 932, Int. No. 889) entitled "An act to amend the Greater New York Charter, in relation to the board of aldermen," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Fitzgerald	Kelly J A	Monahan	Smith T K
Bradley	Finnigan	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 721, Int. No. 693) entitled "An act to amend the Religious Corporations Law, in relation to the sale, mortgage and lease of real property of religious corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
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Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 629, Int. No. 609) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," having been announced for a third reading,

On motion of Mr. O'Brien, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1250, Int. No. 1166) entitled "An act to amend the Indian Law, in relation to medical aid and attendance of Indians residing on the Onondaga reservation," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
Brereton	Fuller	Kelly J D	O'Brien	Sutphin
Brewster	Gage	Kenney	O'Connor	Tallett
Bryant	Gallup	Kennedy	Oxford	Taylor F J
Burden	Geoghan	Kerrigan	Patrie	Taylor T D
Burr	Geyer	Kiernan	Pembleton	Telford
Butts	Gibbs	Knight	Pullman	Tudor
Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 961, Int. No. 917) entitled "An act to legalize and confirm the acts of the town board of Shelter Island in respect to the purchase and maintenance of a certain dock therein," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 108

NOES 00

Those who voted in the affirmative were:

Allen	Emden	Ingram	McGrath	Small
Baxter	Evans	Jackson	McKee	Smith J A
Benninger	Fallon	Jones	McMahon	Smith M
Bovie	Finnigan	Kelly J A	Monahan	Smith T K
Bradley	Fitzgerald	Kelly J J	Norton	Squire
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Carroll	Gillen	Knott	Richardson	Ulrich
Carver	Gillett	Larrimer	Robinson	Van Woert
Caughlan	Grace	Levy	Rozan	Walker
Cole	Grimme	Lewis	Schaap	Webb
Daley	Gurnett	Madden	Schnirel	Weil
Deitz	Hamilton	Magee	Schwarz	Willard
Dennen	Hammer	Malone	Seely J L	Wood
Denney	Hinman	Maloney	Seelye G T	Yale
Donohue	Hopkins	McCollum	Shepardson	Yard
Doty	Hover	McCue	Silverstein	Yeomans
Edwards	Hughes	McDaniels		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 373, Int. No. 62) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," having been announced for a third reading,

On motion of Mr. O'Brien, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

Mr. Tallett offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 240, Int. No. 237), entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling," be returned to the Governor.



Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *February 26, 1913.*

Resolved (if the Assembly concur), That

Whereas, The monetary system of the United States has proved inadequate in critical periods and has been the cause of financial panics and general loss; and,

Whereas, The worst incidence of such panics is upon the banking institutions of this State; and,

Whereas, During the last six years several committees of Congress have investigated the monetary systems of this and other countries and have prepared measures to so improve the domestic system that hereafter it will be able to satisfy all proper demands of business and prevent economic crises from degenerating into panics,

Therefore, The Legislature of New York urges upon Congress the importance of action upon these measures and the enactment into law of the one which seems best to its members and that such action should be taken at the forthcoming special session of Congress.

Resolved, further, That the Clerk be directed to send a copy of this resolution to the President-Elect and to each of the Senators and Representatives-Elect from this State to the Sixty-third Congress.

By order of the Senate,

PATRICK E. McCABE,

*Clerk.*

which was referred to the committee on banks.

The Senate returned the Assembly bill (No. 280, Senate Reprint No. 650, Int. No. 276) entitled "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind," with a message that they have agreed to the request for a committee of conference thereon, and the President appointed Senators Cullen, Foley and Brown as such committee on the part of the Senate.

The Senate returned the Assembly bill (No. 507, Senate Re-

print No. 846, Int. No. 137) entitled "An act to amend the Second Class Cities Law, in relation to municipal lighting."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution returning to the Governor Assembly bill (No. 240, Int. No. 237), entitled "An act to amend section one hundred and one of chapter six hundred and forty-eight of the Laws of nineteen hundred and eleven, entitled 'An act to revise, consolidate and amend generally chapter two hundred and twenty-five of the Laws of nineteen hundred and one, known as "the charter of the city of Oneida," and the several acts amendatory thereof, and repealing certain acts,' in relation to street cleaning and sprinkling," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Levy the House adjourned.

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### WEDNESDAY, MARCH 5, 1913.

The House met pursuant to adjournment.

Prayer by Rev. J. V. Moldenhauer.

On motion of Mr. Jackson, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Sixty-second Annual Report of the Managers of the Syracuse State Institution for Feeble-minded Children," which was laid upon the table and ordered printed.

(See Assembly Document No. 39.)

Mr. Caughlan introduced a bill entitled "An act to amend the Greater New York charter, relative to the number of deputy commissioners in the department of docks and ferries" (Int. No. 1518), which was read the first time and referred to the committee on affairs of cities.

Mr. Gibbs introduced a bill entitled "An act to amend the Public Health Law, in relation to vital statistics relating to infants" (Int. No. 1519), which was read the first time and referred to the committee on public health.

Also, "An act to amend the Public Health Law, in relation to artificial infant food" (Int. No. 1520), which was read the first time and referred to the committee on public health.

Mr. Larrimer introduced a bill entitled "An act to amend the Greater New York charter, in relation to the transfer of jurisdiction and control of streets" (Int. No. 1521), which was read the first time and referred to the committee on affairs of cities.

Mr. McKee introduced a bill entitled "An act to amend the Railroad Law, in relation to the acquisition of title to real property" (Int. No. 1522), which was read the first time and referred to the committee on railroads.

Also, "An act to amend the Railroad Law, in relation to railroads through public lands" (Int. No. 1523), which was read the first time and referred to the committee on railroads.

Mr. McGrath introduced a bill entitled "An act to amend the Greater New York charter, relative to the acquisition of wharf property by the city of New York" (Int. No. 1524), which was read the first time and referred to the committee on affairs of cities.

Mr. Silverstein introduced a bill entitled "An act to amend the Greater New York charter, in relation to temporary appointments of judges of the municipal court" (Int. No. 1525), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General Municipal Law, in relation to elevator operatives" (Int. No. 1526), which was read the first time and referred to the committee on affairs of cities.

Mr. Vert introduced a bill entitled "An act to authorize the formation of a corporation known as 'The Sisters of Charity of Plattsburg, New York,' under the Membership Corporations Law" (Int. No. 1527), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Penal Law, in relation to the sale, possession and use of dangerous weapons" (Int. No. 1528), which was read the first time and referred to the committee on codes.

Also, "An act to amend the General City Law, in relation to plumbing and drainage" (Int. No. 1529), which was read the first time and referred to the committee on affairs of cities.

Mr. Burr introduced a bill entitled "An act to amend chapter seven hundred and six of the Laws of nineteen hundred and one, entitled 'An act to make the office of register of the county of Kings a salaried office, and regulating the management of said office,' relating to assistants in said office, and fixing their salaries" (Int. No. 1530), which was read the first time and referred to the committee on affairs of cities.

Mr. G. T. Seelye introduced a bill entitled "An act to amend chapter forty-five of the Laws of nineteen hundred and one, entitled 'An act to establish a public park in the village of Mechanicville, in the county of Saratoga; to create a commission for the improvement, management and control of such park; to define the powers and duties of such commission, and to provide for raising an annual tax in said village for the improvement of such park, in relation to moneys to be raised for park purposes and extending the powers of such commission'" (Int. No. 1531), which was read the first time and referred to the committee on affairs of villages.

Mr. Madden introduced a bill entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers,' and to revise and consolidate the local laws relating thereto" (Int. No. 1532), which was read the first time and referred to the committee on affairs of cities.

Mr. McKee introduced a bill entitled "An act to amend the Public Health Law, in relation to the collection of fees and expenses of the Health Officer of the Port of New York" (Int. No. 1533), which was read the first time and referred to the committee on public health.

Mr. Evans introduced a bill entitled "An act to amend the Highway Law, in relation to the purchase of road machinery by towns" (Int. No. 1534), which was read the first time and referred to the committee on internal affairs.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Patrie (No. 1115, Int. No. 891), entitled "An act to amend the Conservation Law, in relation to hydro-electric plants and districts, and making an

appropriation for the capital district plant," reported the same with the following amendments:

In title after the word "law" insert "by repealing article 6 thereof and enacting a new article". Strike out "for the capital district plant" and insert "therefor".

Page 1, line 1, before "Chapter" insert "Article 6 of".

Line 5, strike out "amended by inserting therein" and insert "repealed".

Strike out "a" and insert in place thereof as the beginning of a new paragraph "Section 2 A."

Line 6, strike out "a" and insert "is hereby inserted in said chapter sixty-five of the Consolidated Laws aforesaid and to read as follows:"

Line 9, strike out "425" and insert "400".

Page 2, line 1, strike out "426. Division" and insert "401. Bureau".

Line 2, strike out "427" insert "402".

Line 3, strike out "428" insert "403".

Also strike out "as to hydro-electric" and "plants" on line 4.

Line 5, strike out "429" insert "404. Construction".

Line 6, strike out "430" insert "405." and after "contract" insert "with municipalities".

Line 7, strike out "431" insert "406".

Line 8, strike out "432" insert "407".

Line 9, strike out all.

Line 10, strike out "434" insert "408".

Line 11, strike out "435" insert "409".

Line 12, strike out "436" insert "410".

Line 13, strike out "437" insert "411".

Line 14, strike out all and insert "412. Appropriation of property."

Line 15, strike out "439" insert "413".

Line 16, strike out all and insert "414. Commencing work."

Between lines 16 and 17 insert "415. Limitation of State Liability."

Line 17, strike out "425" insert "400".

Strike out lines 18 to 26, inclusive, and also lines 1 and 2 on page 3 and insert: "For the purpose of conserving and utilizing the surplus waters of the canals and canalized streams of the State and the progressive development of the hydraulic power thereof by the State for the use and benefit of the people of the State, the commission is authorized and directed to construct and operate at such points as the Legislature shall from time to time direct, hydro-electric plants and other necessary works, buildings,

machinery and transmission lines for supplying electricity to municipalities and persons within the State. The commission may for such purpose from time to time create hydro-electric districts and may alter, extend or unite one or more such districts."

Page 3, line 5, after "canals" insert "use and occupy canal lands and".

Line 9, strike out "will" insert "to".

Line 12, strike out "426. Division" and insert "401. Bureau".

Line 13, strike out "division" insert "bureau".

Line 14, strike out "deputy commissioner" and insert "chief of bureau".

Line 17, strike out "division" insert "bureau".

Line 18, strike out "deputy commissioner" and insert "chief of bureau".

Line 22, strike out "427" insert "402".

Line 24, strike out "the" insert "any" and strike out "for which such a plant".

Line 25, strike out "is constructed, and storing".

Page 4, line 4, after "state" insert "except lands in the forest preserve".

Line 10, strike out "428" insert "403"; strike out "as to hydro-electric".

Line 11, strike out "plants".

After line 26, insert "5. To contract as provided in this act with municipal, public service and other corporations, public boards and persons to supply power, energy or electricity for municipal, commercial or other purposes.

"6. The commission, its engineers or agents, may enter upon any land or waters for the purpose of making surveys and investigations deemed by the commission necessary and the persons damaged thereby, unless the same shall be agreed upon and paid by the commission, shall be entitled to file claims for such damages with the Board of Claims and recover such damages from the State."

Page 5, line 1, strike out "429" and insert "404. Construction".

Line 2, after "supplies" insert "except as hereinafter provided".

Page 6, line 1, after "rejected" insert "or if the contract be entered into".

Page 7, line 13, strike out "any" insert "the".

Line 20, strike out "430" insert "405" after "contracts" insert "with municipalities".

Line 23, strike out "within a hydro-electric".

Line 23, strike out "district".

Line 24, after "Commission" insert "by petition stating the purpose for which such electricity is to be used"

Line 25, strike out "the cost of constructing neces-", and also all of line 26.

Page 8, line 1, strike out "tributing electricity to consumers".

Line 10, after "upon" insert "letting contracts for construction and upon".

Line 11, strike out "and a contract" and insert "of cost".

Line 12, strike out "within a hydro-electric district".

Line 14, strike out "therefor" and insert "for the establishment of a hydro-electric district".

Line 17, after "provide" insert "that the commission may from time to time determine the source or sources, point or points, line or lines from which such electric energy shall be supplied to such municipalities whether from canal waters or from other sources which may hereafter be authorized."

Line 26, after "construction" insert "that all such charges shall be apportioned monthly by the commission upon the basis of the cost of serving the municipality with the electric energy used or contracted for."

After "but" insert "any or".

Page 9, line 3, strike out "maximum".

Line 9, strike out "413" insert "406".

Line 18, strike out "approval" and insert "approved".

Line 24, after "or" insert "in the event that the person or corporation owning or operating an existing plant shall omit or refuse to enter into a contract for distribution or for the sale of such plant as hereinbefore provided for, and if there be no existing plant therein, then if the commission approve;"

Page 10, line 2, strike out "the", second occurring, and also "of the maximum".

Line 3, strike out "cost".

Line 4, strike out "The" and insert "Before such election the".

Strike out "may" insert "shall thereupon".

Line 6, strike out "subject to the approval of" and insert "approved by", and after "commission" insert "before any such special election shall be called".

Line 7, strike out "432" insert "407".

Strike out "Upon the receipt of the proposed".

Line 8, strike out "contract as specified in section four hundred and thirty" and insert "thereupon".

Line 11, after "such" insert "proposed".



Line 12, after "commission" insert "and the determination made by the governing board".

Line 21, after "of" insert "the purpose for which the electricity is to be used; whether for".

Line 23, strike out "and", first occurring, and insert "or".

Strike out "and", second occurring, and insert "or".

After "power" insert "or one or more of said purposes".

Page 11, line 3, after "the" insert "proposed".

Line 17, strike out "a" and insert "the".

Line 23, after "power" insert "Thereupon the municipality shall be authorized to purchase, use, distribute and sell such electricity for the purposes aforesaid."

Page 12, strike out lines 8 to 14, inclusive, and insert: "If such proposition be not approved the governing board of such municipality may at any time after three months, notwithstanding such rejection, submit to the electors, and thereafter re-submit in the manner prescribed by this section at a special election the same proposition involving any alternative authorized by this section."

Strike out lines 15 to 26, inclusive.

Page 13, strike out lines 1 and 2.

Line 3, strike out "434" and insert "408".

Line 14, strike out "435" and insert "409".

Line 19, strike out "maximum".

Line 21, strike out beginning with the word "and" down to and including line 26 and insert "and said municipal corporation shall use such electricity and supply the same to consumers without discrimination, giving preference to the classes of service hereinafter described, in the order following:"

"1. For lighting public streets, highways and buildings by such municipality.

"2. For domestic and commercial lighting therein.

"3. For power for municipal purposes.

"4. For power for public service corporations and for manufacturing and private uses."

Page 14, strike out lines 1 and 2.

Strike out lines 21 to 26, inclusive, and insert:

"§ 410. Furnishing electricity to persons or corporations. Any person or corporation in a municipality where such municipality shall not have entered into a contract with the State for the distribution of electricity pursuant to the provisions of this article may apply to the commission for electricity, and the commission may pending the making of a contract by such municipality and furnishing electricity thereunder, supply such person



or corporation for his own use and not for sale, electricity at such rate and upon such terms as the commission may determine. Such rates however shall not be less than the highest price charged consumers by any municipality for like service within said district."

Page 15, strike out lines 1 to 4, inclusive.

Line 5, strike out "437" and insert "411".

Line 7, strike out "every".

Line 8, strike out "expense and receipt of" and insert "receipts and disbursements connected with". Also strike out word "such".

Strike out lines 14 to 26, inclusive, and insert:

"§ 412. Appropriation of property. The commissioner may enter upon and take possession of any lands, structure or water, the appropriation of which in its judgment shall be necessary for the purposes specified in this article. An accurate survey and map and description of such lands, structures or property, or the amount to be taken or appropriated, shall be made by the commission. It shall indorse on such description a certificate stating that the lands, structures, or waters or property described therein are necessary for and have been appropriated by the State for public use pursuant to the provisions of this article. Such description and certificate shall be filed in the office of the commission, and a copy thereof certified by the commission shall thereupon be served upon the owner, together with a notice of the filing and of the date of filing such description and certificate in the office of the commission; and from the time of such service the entry upon and appropriation by the State of the property described in such notice for the use and purposes above specified, shall be deemed complete and thereupon such property shall be deemed to be the property of the State. Such notice shall be conclusive evidence of an entry and appropriation by the State, but the service thereof shall raise no presumption that the lands and rights therein mapped or described are private property. A duplicate of such notice and affidavit of due service thereof on such owner shall be recorded in the record of deeds and conveyances in the office of the clerk of any county where any of the property described therein may be situated, and the record of such notice and of such proof of service shall be evidence of the due service thereof. The commission may enter into an agreement with the owner of any lands, waters or other property so taken and appropriated, for the value thereof, and as to the amount of any damage resulting from the appropriation for which the State shall be legally liable. If such agreement shall

be made, the commission shall deliver to the owner a certificate stating the amount due to him on account of such appropriation, and a duplicate of such certificate shall be delivered to the comptroller. The amount so agreed upon shall be paid by the treasurer upon the warrant of the comptroller, after title to said property has been certified by the Attorney-General of the State upon an abstract to be furnished by said claimant which shall show a good title to said property so appropriated by the State in said claimant, free from all encumbrances, dower right or liens of any name or character. If the commission is unable to agree with the owner upon the value of any property so taken or appropriated, or on the amount of damages resulting therefrom, such owner, within two years after the service upon him of the notice of the appropriation, as above specified, may present to the board of claims a claim for the value of such property so appropriated and any damage resulting therefrom for which the State shall be legally liable. The board of claims shall have jurisdiction to hear and determine such claims and make an award thereon. Any final award made upon such claim so filed against the State shall be paid in the manner provided by the law by the comptroller for the payment of awards made by the board of claims. When damages are awarded and it appears that there is any lien or incumbrance on the property appropriated, the comptroller may deposit the amount awarded in any bank in which moneys belonging to such fund may be deposited, to the account of such award, to be paid and distributed to the persons entitled to the same as ordered by the Supreme Court. Whenever any lands or waters of any use thereof is necessary for the carrying out of any improvement or works herein provided for, and the same are in possession of, or being used by any person or corporation under any privilege heretofore given by the State by statute or otherwise, and which is revocable by the State by repeal of any such statute or otherwise, or where said lands or use are so held under a term which has expired, the commission shall have power to revoke such privilege on behalf of the State and to re-enter said lands and no damage shall be awarded against the State on account thereof."

Page 16, strike out lines 1 to 4, inclusive.

Line 5, strike out "439" and insert "413".

Strike out lines 9 to 26, inclusive, and insert:

"§ 414. Commencing work. For the purpose of carrying out the provisions of this article and initiating work under the general plan herein provided for, the commission when it shall have received applications for such an amount of power as will, in its judgment warrant such action, construct at the dams at Crescent

and Vischer's Ferry on the Erie canal, hydro-electric plants for the generation of electric power together with such transmission lines and other accessories as the commission may deem necessary and as the sums appropriated by the Legislature will permit."

Page 17, strike out lines 1, 2 and 3 and line 4 down to and including the word "season".

Strike out lines 9 to 20, inclusive, and insert:

" § 415. Limitation of State liability. No contract made under the provisions of this article shall obligate to the State beyond appropriations duly made by law nor subject the State to any liability for damages by reason of nonperformance by the State of the terms of a contract so made."

" § 416. When abandoned canal lands and surplus waters shall not be disposed of. No abandoned canal lands and no surplus waters of the canals shall be granted, leased, released or otherwise disposed of by any board or other officer except upon notice to the Conservation Commission, which notice shall particularly describe the lands or waters proposed to be disposed of, nor until the commission shall have investigated into the situation of the lands or waters described in such notice and shall by resolution declare that such lands or waters are neither necessary nor available for use by the State in carrying out the purposes of this article."

" § 3. The sum of six hundred and fifty thousand (\$650,000) dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the treasury not otherwise appropriated, for the purpose of this act, to be paid by the treasurer on the warrant of the Comptroller but not to exceed two hundred and eighty-two thousand (\$282,000) dollars of said amount shall be available for use as aforesaid, during the calendar year nineteen hundred and thirteen."

" § 4. This act shall take effect immediately."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Weil (No. 1511, Int. No. 1386), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,'

in relation to the compensation of commissioners of estimate and appraisal appointed in pursuance of said act,"

Also, Assembly bill introduced by Mr. Doty (No. 310, Int. No. 306), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to compensation of city officers."

Also, Assembly bill introduced by Mr. Bovie (No. 904, Int. No. 861), entitled "An act to permit the city of Mount Vernon to provide for the special lighting of the business district of said city, and to assess the cost thereof upon the abutting property."

Also, Assembly bill introduced by Mr. Caughlan (No. 737, Int. No. 709), entitled "An act to amend the Civil Service Law, in relation to examinations for promotion in the police or fire department of a city."

Also, Assembly bill introduced by Mr. McCue (No. 623, Int. No. 603), entitled "An act to amend the Greater New York charter, in relation to assistant fire marshals."

Also, Assembly bill introduced by Mr. Allen (No. 664, Int. No. 638), entitled "An act to amend chapter three hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to provide a park board in and for the city of Utica,' relative to the powers of said board."

Also, Assembly bill introduced by Mr. Hammer (No. 1485, Int. No. 1360), entitled "An act to amend the Greater New York charter, with respect to the construction of tunnels and shafts and the erection, installation and operation of elevators and escalators connecting public streets and places."

Also, Assembly bill introduced by Mr. Hammer (No. 1223, Int. No. 1114), entitled "An act to amend the Greater New York charter, in relation to the police pension fund."

Also, Assembly bill introduced by Mr. Small (No. 572, Int. No. 558), entitled "An act to provide a recreation pier and casino on Buffalo park property for the people of the city of Buffalo."

Also, Assembly bill introduced by Mr. Donohue (No. 1420, Int. No. 1309), entitled "An act to amend the Greater New York charter, in relation to tax liens."

Also, Assembly bill introduced by Mr. Bush (No. 1197, Int.

No. 1118), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' generally."

Also, Assembly bill introduced by Mr. Doty (No. 309, Int. No. 305), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to the police force, its members and officers and the powers of the common council in relation thereto."

Also, Assembly bill introduced by Mr. Bovie (No. 894, Int. No. 852), entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle."

Also, Assembly bill introduced by Mr. Bovie (No. 893, Int. No. 851), entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle, in relation to the board of public works of the city of New Rochelle,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. McKee (No. 1214, Int. No. 1135), entitled "An act to amend the Greater New York charter, in relation to powers of investigation of the board of education," reported the same with the following amendment:

Change title to read as follows:

"To amend the Greater New York charter, in relation to powers of investigation by the president of the board of education."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. McKee (No. 1211, Int. No. 1132), entitled "An act to amend the Greater New

York charter, in relation to the appointment of three additional district superintendents in the department of education," reported the same with the following amendments:

Change title so it will read as follows:

"To amend the Greater New York charter, in relation to the board of education."

Page 4, after "sion" insert "of said board".

Place bracket after the word "superintendent".

Line 9, omit "re" before the word "election".

Insert between lines 10 and 11, the following:

"2. For the purpose of providing for any funds which may be necessary to carry out the provisions of this act during the current year, the comptroller may, when so directed by the board of estimate and apportionment, issue certificates of indebtedness."

Lines 11 to 21, inclusive, to be omitted.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. McKee (No. 1213, Int. No. 1134), entitled "An act to amend the Greater New York charter, in relation to salaries of the members of the supervising and teaching staffs of the board of education," reported the same with the following amendment:

Change title to read as follows:

"To amend the Greater New York charter, in relation to changing conditions annexed to salary schedules approved by the board of education."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Squire (No. 885, Int. No. 843), entitled "An act to amend chapter one hundred and eighty-three of the Laws of nineteen hundred and seven, entitled 'An act to establish a police pension fund for the city of Schenectady, New York,' in relation to the compensation and

distribution of such fund," reported the same with the following amendments:

Strike out lines 18 to 26, inclusive, on page 2 and lines 1 to 7, inclusive, on page 3.

Page 3, line 8, strike out "4" and insert "3".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Walker (No. 1260, Int. No. 1176), entitled "An act to amend the Greater New York charter, in relation to stage or omnibus routes, and repealing certain sections thereof in relation thereto," reported the same with the following amendments:

On page 6, between lines 1 and 2, after the word "authorities" strike out the rest of line.

Between lines 10 and 11, after the word "imposed" strike out the rest of page.

Page 7, strike out lines 1 to 8, inclusive.

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 592, Int. No. 578) introduced by Mr. McGrath, entitled "An act to amend section one hundred and eighty-six of chapter eighty-eight of the Laws of nineteen hundred and nine, entitled 'An act providing for the punishment of crime, constituting chapter forty of the Consolidated Laws,' in relation to abandonment of disabled animal," reported in favor of the passage of the same, with the following amendment:

Strike out present title and insert "An act to amend the Penal Law, in relation to the destruction of glandered, injured or diseased animals."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was re-committed Assembly bill introduced by Mr. Walker (No. 1114,



Int. No. 666), entitled "An act to amend the Penal Law, in relation to the sale or possession of cocaine or eucaïne," reported the same with the following amendments:

Page 2, line 14, after word "salts" insert "In no case shall a prescription be issued for the compounding of a solution or ointment containing more than one per centum of such substances, unless on such prescription there shall be written by the person issuing same a statement giving the name of the person for whom the same is prescribed and that the amount of such substances specified in the prescription is required for the proper medical treatment of such person. A copy of such statement shall also be entered by the physician issuing such prescription in the book required by paragraph (j) to be kept by him."

Page 8, line 23, after the word "carry" insert "such substances for use in his profession, provided the amount so personally carried and the amount kept in the place scheduled in his record, shall not together exceed a total of one-half ounce of such substances."

Line 24, strike out words "profession not to exceed twenty grains of said substances."

Page 10, line 2, after "recorded" insert a period and begin word "such" with capital "S".

Line 22, strike out word "cocaine" insert "such substances".

Page 11, line 6, after word "one" insert "and one-quarter"; also make the word "ounce" plural.

Line 14, strike out words "hundred and sixty grains" insert "half ounce".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on codes, to which was referred Senate bill (No. 814, Rec. No. 69) introduced by Mr. Pollock, entitled "An act to amend the Code of Civil Procedure, in relation to injunctions," reported in favor of the passage of the same, with the following amendment:

After line 11 on page 1 insert:

"§ 2. This act shall take effect September first, nineteen hundred and thirteen."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Hamilton (No. 883, Int.



No. 841), entitled "An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail."

Also, the bill introduced by Mr. Cotillo (No. 400, Int. No. 397), entitled "An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served."

Also, the bill introduced by Mr. Burr (No. 471, Int. No. 466), entitled "An act to amend the Greater New York charter, in relation to vacations for employees."

Also, the bill introduced by Mr. Burr (No. 731, Int. No. 703), entitled "An act to repeal section thirteen of the Decedent Estate Law, in relation to devises of real property to aliens."

Also, the bill introduced by Mr. Grimme (No. 1107, Int. No. 110), entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally."

Also, the bill introduced by Mr. Oxford (No. 1194, Int. No. 1115), entitled "An act to amend the General Business Law, in relation to the manufacture and sale of tires for motor vehicles."

Also, the bill introduced by Mr. Gibbs (No. 1252, Int. No. 1168), entitled "An act to amend the Labor Law, in relation to fines imposed by employers upon workmen."

Also, the bill introduced by Mr. Burr (No. 1275, Int. No. 704), entitled "An act to amend the Real Property Law, in relation to tenure of real property by aliens."

Also, the bill introduced by Mr. Jackson (No. 1472, Int. No. 516), entitled "An act to amend the Labor Law, in relation to seats in factories and other establishments for female employees."

Also, the bill introduced by Mr. Oxford (No. 1473, Int. No. 1159), entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine."

Also, the bill introduced by Mr. Weil (No. 1474, Int. No. 119), entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks."

Also, the bill introduced by Mr. P. J. Kelly (No. 1475, Int. No. 215), entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings."

Also, the bill introduced by Mr. Denney (No. 1476, Int. No. 496), entitled "An act to amend the Civil Service Law, in relation to vacations and leaves of absence for employees."

Also, the bill introduced by Mr. Macdonald (No. 1478, Int. No. 1111), entitled "An act to legalize certain acts and proceedings of the former village of Saint Regis Falls, its voters, officers and agents, dissolving such village, and to confirm and make effectual such dissolution."

Also, the bill introduced by Mr. Jackson (No. 1479, Int. No. 519), entitled "An act to amend the Labor Law, in relation to cleanliness of work-rooms in factories."

Also, the bill introduced by Mr. Burr (No. 1517, Int. No. 467), entitled "An act to amend the Greater New York charter, in relation to commissioners of deeds."

Also, the bill introduced by Mr. Brewster (No. 1521, Int. No. 583), entitled "An act to amend the Lien Law, in relation to liens of bailees for hire upon personal property."

Also, the bill introduced by Mr. M. Smith (No. 1522, Int. No. 726), entitled "An act to amend the Conservation Law, in relation to taking certain fish in Ten Mile river in the towns of Amenia and Dover in the county of Dutchess."

Also, the bill introduced by Mr. Walker (No. 1525, Int. No. 294), entitled "An act to amend the Insurance Law, in relation to the contents of advertisements."

Also, the bill introduced by Mr. Gillett (No. 1527, Int. No. 573), entitled "An act to amend the General Business Law, in relation to establishing the standard of four-pound grape basket."

Also, the bill introduced by Mr. Kenney (No. 1528, Int. No. 933), entitled "An act to authorize the use of certain land owned by the State in Ulster county for a game farm, and making an appropriation for the equipment and stocking thereof."

Also, the bill introduced by Mr. Schwarz (No. 1529, Int. No.

60), entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the Union bridge crossing the Hudson river between the counties of Saratoga and Rensselaer."

Also, the bill introduced by Mr. Schwarz (No. 1530, Int. No. 59), entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the bridge of the Stillwater Bridge Company crossing the Hudson river between the counties of Saratoga and Rensselaer."

Also, the bill introduced by Mr. Jackson (No. 1594, Int. No. 517), entitled "An act to amend the Labor Law, in relation to automatic sprinklers."

Also, the bill introduced by Mr. Jackson (No. 1526, Int. No. 45), entitled "An act to amend chapter four hundred and eighty-one of the Laws of nineteen hundred and ten, being chapter forty-nine of the Consolidated Laws, known as the Railroad Law, by adding a section thereto prescribing the minimum number of employees to be employed in the operation of certain trains."

Also, the bill introduced by Mr. Walker (No. 1592, Int. No. 875), entitled "An act to amend the Insurance Law, in relation to the standard fire insurance policy of the State of New York, and the adjustment of losses thereunder."

Also, the bill introduced by Mr. Jackson (No. 1593, Int. No. 515), entitled "An act to amend the Labor Law, in relation to fire alarm signal systems and fire-drills."

Also, the bill introduced by Mr. Jackson (No. 1595, Int. No. 973), entitled "An act to amend the Labor Law in dust creating machinery, in relation to the protection of employees operating machinery, and the lighting of factories and workrooms."

Also, the bill introduced by Mr. Jackson (No. 1596, Int. No. 976), entitled "An act to amend the Labor Law, in relation to washrooms, dressing rooms and water closets in factories."

Also, the bill introduced by Mr. Jackson (No. 1597, Int. No. 980), entitled "An act to amend the Penal Law, in relation to violations of provisions of the Labor Law, the industrial code, the rules and regulations of the industrial board of the Department of Labor and the orders of the Commissioner of Labor."

Also, the bill introduced by Mr. Jackson (No. 1598, Int. No.

993), entitled "An act to amend the Labor Law, in relation to elevators and hoisting shafts in factory buildings," reported the same without recommendations; which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Evans (No. 1523, Int. No. 849), entitled "An act to amend the Conservation Law, in relation to hooking suckers through ice in Sullivan county," reported the same with the following recommendation:

Page 1, line 2 of title, strike out "in Sullivan county".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Sullivan (No. 1524, Int. No. 480), entitled "An act to amend chapter five hundred and forty-seven of the Laws of eighteen hundred and ninety, entitled 'An act to make the office of county clerk of Chautauqua county a salaried office, and regulating the management of said office,' generally," reported the same with the following recommendation:

Page 1, line 5, after "read" strike out ", respectively".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Penal Law, in relation to violations of provisions of the Labor Law, the industrial code, the rules and regulations of the industrial board of the Department of Labor and the orders of the Commissioner of Labor." (No. 1597, Int. No. 980.)

"An act to amend the Labor Law, in relation to fire alarm signal systems and fire drills." (No. 1593, Int. No. 515.)

"An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings." (No. 1475, Int. No. 215.)

"An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough

of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine." (No. 1473, Int. No. 1159.)

"An act to amend the Labor Law, in relation to washrooms, dressing rooms and water closets in factories." (No. 1596, Int. No. 976.)

"An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks." (No. 1474, Int. No. 119.)

"An act to amend the Civil Service Law, in relation to vacations and leaves of absence for employees." (No. 1476, Int. No. 496.)

"An act to amend the Labor Law, in relation to seats in factories and other establishments for female employees." (No. 1472, Int. No. 516.)

"An act to amend the Liquor Law, in relation to elevators and hoisting shafts in factory buildings." (No. 1598, Int. No. 993.)

"An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served." (No. 400, Int. No. 397.)

"An act to amend the General Business Law, in relation to the manufacture and sale of tires for motor vehicles." (No. 1194, Int. No. 1115.)

"An act to amend the Insurance Law, in relation to the contents of advertisements. (No. 1525, Int. No. 294.)

"An act to amend the Labor Law, in relation to the clean, sanitary and safe condition of factory buildings." (No. 521, Int. No. 510.)

"An act to amend the Penal Law, in relation to the issuance or circulation of false literature by insurance corporations." (No. 100, Int. No. 100.)

"An act to amend the General Business Law, in relation to standard barrels for pears and quinces." (No. 837, Int. No. 647.)

"An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act, entitled "An act to incorporate the Greenwood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the designation of

those to be interred in alienable lots and the transfer of such lots in certain cases." (No. 1585, Int. No. 691.)

"An act to amend section seventeen of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' as amended by chapter six hundred and three of the Laws of nineteen hundred and seven in relation to hour for opening of court." (No. 638, Int. No. 618.)

"An act to establish the New York commercial tercentenary commission, and to prescribe the powers and duties thereof." (No. 1392, Int. No. 1282.)

"An act to amend chapter one hundred and forty-two of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Corning,' in relation to apparatus and buildings for fire prevention." (No. 1586, Int. No. 1119.)

"An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Cook Academy, at Montour Falls, in the county of Schuyler, and making an appropriation therefor." (No. 380, Int. No. 376.)

"An act to amend the County Law, in relation to the establishment of county hospital for tuberculosis." (No. 777, Int. No. 748.)

"An act to amend the Labor Law, in relation to the physical examination of children employed in factories and cancellation of their employment certificates because of physical unfitness." (No. 1044, Int. No. 992.)

"An act to amend chapter sixty-eight of the Laws of eighteen hundred and sixty, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' generally." (No. 1156, Int. No. 1083.)

"An act to amend the Educational Law, in relation to free textbooks." (No. 1288, Int. No. 1189.)

"An act to build a range of glass houses for teaching floriculture and vegetable culture at the New York State College of Agriculture at Cornell University, making an appropriation therefor, and providing for the appointment of an advisory committee." (No. 795, Int. No. 760.)

"An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights, constituting chapter six of the Consolidated Laws.'" (No. 1418, Int. No. 503.)

"An act authorizing the board of town auditors of the town of White Plains to hear, audit, determine and allow the alleged claim of Alice Cox Anderson for services rendered the said town of White Plains as clerk of the board of assessors of said town, and to provide for the payment of such claim." (No. 1188, Int. No. 1109.)

"An act to amend the Stock Corporation Law, in relation to the certificate of increase or reduction of capital stock of a banking or insurance corporation." (No. 88, Int. No. 88.)

"An act to amend section fifteen hundred and sixty-nine of the Code of Civil Procedure, in relation to the payment of a gross sum in lieu of dower." (No. 276, Int. No. 272.)

"An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals." (No. 1516, Rec. No. 68.)

"An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose." (No. 1417, Int. No. 281.)

The bill (No. 1477, Int. No. 906) entitled "An act to amend the Stock Corporation Law, in relation to the regulating and supervision of investment companies," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 883, Int. No. 841) entitled "An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail," was read the second time.

On motion of Mr. Hamilton, said bill was placed on the order of third reading and referred to the committee on revision.



The bill (No. 1374, Int. No. 714) entitled "An act to amend the Penal Law, in relation to trade marks," having been announced for a third reading,

On motion of Mr. Levy, said bill was recommitted to the committee on codes, retaining its place on the order of third reading.

The Senate bill (No. 468, Rec. No. 80) entitled "An act to amend the Insurance Law, in relation to survival of indemnity, reinsurance and co-insurance in receiver and Superintendent of Insurance upon dissolution of insurance corporations," having been announced for a third reading,

On motion of Mr. Walker, said bill was recommitted to the committee on insurance, retaining its place on the order of third reading.

The bill (No. 1455, Int. No. 377) entitled "An act to amend the Second Class Cities Law, relative to designation of official papers," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1377, Int. No. 263) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to the salaries of the judges of the city court of Buffalo," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin



Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dor				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1269, Int. No. 501) entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1378, Int. No. 561) entitled "An act to authorize the city of Troy to borrow moneys and to issue bonds therefor, for the water works department of said city, and to provide for the payment of said bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J

Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 843, Int. No. 801) entitled "An act making an appropriation for the expenses incident to the proceeding entitled 'The People of the State of New York, ex rel. Mary C. Thaw, against John W. Russell, medical superintendent of Matteawan State Hospital,'" was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 925, Int. No. 882) entitled "An act making an appropriation for the payment of compensation for services of employees required for the care and maintenance of the State Education building," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deits	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 169, Int. No. 166) entitled "An act to provide for the completion of a dyke or dykes for the protection of property adjacent to the Delaware river in the town of Highland, in the county of Sullivan, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present,

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pemberton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 340, Int. No. 336) entitled "An act to amend the Highway Law, in relation to the amount of State aid," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A

Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kennev	O'Connor	Tallett
Bryant	Gage	<b>Kennedy</b>	Oxford	Taylor F J
Burden	Gallup	<b>Kerrigan</b>	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilto	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1457, Int. No. 117) entitled "An act to amend the Conservation Law, in relation to the open season for water fowl on Long Island," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

By unanimous consent, Mr. Jackson offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Senate bill (No. 135, Rec. No. 66), entitled "An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Jackson, and by unanimous consent, said bill was read the second time, and ordered to a third reading.

On motion of Mr. Jackson, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 175, Int. No. 171) entitled "An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation," having been announced for third reading,

On motion of Mr. Jackson, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 224, Int. No. 221) entitled "An act to amend the Judiciary Law, relative to the delivery and publication of opinions of justices of the Appellate Division," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1458, Int. No. 311) entitled "An act to amend the Public Health Law, in relation to the registration of nurses," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D

Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1183, Int. No. 1104) entitled "An act to authorize the Board of Claims to hear, audit, and determine the claims of Louise B. Hill, Rowland F. Hill, Jr., George P. Hill, and Mary Louise Hill, legal representatives and successors in interest of Rowland F. Hill, deceased, against the State of New York," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				



Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 476, Int. No. 471) entitled "An act for the improvement of the tributaries of Black brook in Seneca county, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 525, Int. No. 514) entitled "An act to amend the Labor Law, in relation to protecting the health and morals of females employed in factories by providing an adequate period of rest at night," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Dennen	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1015, Int. No. 969) entitled "An act to amend the Labor Law, in relation to protecting the lives, health and safety of employees in dangerous trades," having been announced for a third reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 810, Int. No. 777) entitled "An act to provide for the improvement of Sawyers creek in the city of North Tonawanda and the town of Wheatfield, Niagara county, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Dennen	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1456, Int. No. 1062) entitled "An act to amend the Education Law, relative to the consolidation of districts by a vote of a district meeting," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M

Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Dennen	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 808, Int. No. 775) entitled "An act to amend chapter five hundred and twenty-six of the Laws of nineteen hundred and ten, entitled 'An act providing for the construction of buildings and improvements for the New York State Training School for Boys, and making an appropriation therefor,' in relation to the allowance of fees and disbursements for witnesses in proceedings to acquire lands for the use of said institution," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edward	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor

Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deits	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 749, Int. No. 721) entitled "An act to establish a State school of agriculture in the county of Greene, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deits	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1311, Int. No. 1212) entitled "An act to amend chapter two hundred and sixty-one of the Laws of nineteen hundred and two, entitled 'An act to authorize the county of Albany to provide for the temporary detention of juvenile delinquents with the Mohawk and Hudson River Humane Society and make compensation therefor,' by authorizing said society to receive and detain in its houses of detention minors after arrest, before trial, and pending their reception into some other institution," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 413, Int. No. 411) entitled "An act to amend the Highway Law, in relation to the amount of State aid," was

read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 544, Int. No. 530) entitled "An act to amend the Code of Civil Procedure, in relation to the compensation of constables, deputy sheriffs and jurors," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 691, Int. No. 665) entitled "An act to amend the Conservation Law, in relation to the propagation of game and to the application therefor of fees for hunting and trapping licenses," having been announced for a third reading,

On motion of Mr. Levy, said bill was recommitted to the committee on conservation, retaining its place on the order of third reading.

The bill (No. 1048, Int. No. 996) entitled "An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery, and Oswego," and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,' and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 92, Int. No. 92) entitled "An act to amend the General Corporation Law, in relation to the extension of corporate existence of insurance and banking corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenrey	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 300, Int. No. 296) entitled "An act to amend the Insurance Law, in relation to the capital of title, credit guaranty and securities guaranty corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edward	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett

Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 94, Int. No. 94) entitled "An act to amend the Penal Law, in relation to discriminations and rebates by corporations transacting business of life insurance on the co-operative or assessment plan," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 296, Int No. 292) entitled "An act to amend the Insurance Law, in relation to capital requirements," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 997, Int. No. 951) entitled "An act to amend the Insurance Law, in relation to the incorporation of fire insurance corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Ulrich
Burden	Gallup	Kerrigan	Patrie	Taylor F J
Burr	Geoghan	Kiernan	Pembleton	Taylor T D
Butts	Geyer	Knight	Pullman	Tudor
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Ma'one	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1173, Int. No. 1094) entitled "An act to provide for making surveys for improving and extending the canal system of the State, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edwards	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M

Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert
Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Dcn hue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1319, Int. No. 1220) entitled "An act to declare the effect of the appearance by the Attorney-General in a proceeding in the surrogate's court of the county of Putnam for the disposition of the real property of Caroline Palmer, deceased, for the payment of debts and funeral expenses," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 106

NOES 00

Those who voted in the affirmative were:

Allen	Edward	Hughes	McDaniels	Silverstein
Baumes	Eisner	Jackson	McElligott	Small
Baxter	Emden	Jones	McKee	Smith J A
Benninger	Evans	Jude	McMahon	Smith M
Bovie	Fallon	Kelly J J	Monahan	Squire
Bradley	Finnigan	Kelly J D	Norton	Sutphin
Brereton	Fitzgerald	Kelly P J	O'Brien	Sweet
Brewster	Fuller	Kenney	O'Connor	Tallett
Bryant	Gage	Kennedy	Oxford	Taylor F J
Burden	Gallup	Kerrigan	Patrie	Taylor T D
Burr	Geoghan	Kiernan	Pembleton	Tudor
Butts	Geyer	Knight	Pullman	Ulrich
Carver	Gibbs	Knott	Richardson	Van Woert
Caughlan	Grace	Larrimer	Robinson	Vert

Cole	Grimme	Levy	Rozan	Walker
Cronin	Gurnett	Lewis	Schaap	Webb
Daley	Hamilton	Madden	Schnirel	Weil
Deitz	Hammer	Magee	Schwarz	Wood
Denney	Hinman	Malone	Seely J L	Yale
Donohue	Hopkins	Maloney	Seelye G T	Yard
Doty	Hover	McCollum	Shepardson	Yeomans
Dox				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Clerk announced the resignation, as of date of January sixth of Thomas Scott appointed stenographer to the committee on affairs of cities and the appointment of George Schilling as of same date to fill the vacancy.

The Clerk announced the resignation as of date of January sixth of Michael Garn appointed a messenger to committee and the appointment of Fred Neumann as of same date to fill the vacancy.

The Clerk announced the resignation as of date of January sixth of John P. McKegney appointed Clerk's messenger and the appointment of Matthew Kiernan, as of same date to fill the vacancy.

The Clerk announced the resignation as of date of January sixth of George W. Ely appointed a deputy clerk and the appointment of M. V. Fordham as of same date to fill the vacancy.

The Clerk announced the resignation as of date of January twenty-seventh of John Redner appointed a page and the appointment of George Chapman as of same date to fill the vacancy.

The Clerk announced the resignation as of date of January twenty-seventh of Henry S. Peard appointed a messenger to committee and the appointment of George Nugent as of same date to fill the vacancy.

The Clerk announced the death of Tiffany D. Neville, assistant postmaster on January twentieth and the appointment of William W. Burgett as of same date to fill the vacancy.

The Clerk announced the resignation as of date of January thirtieth of Mary Quimby appointed a general stenographer and the appointment of T. Arthur Hendricks as of same date to fill the vacancy.

On motion of Mr. Levy, the House adjourned.

THURSDAY, MARCH 6, 1913.

The House met pursuant to adjournment.

Prayer by Rev. James S. Kittell.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Secretary of States report on Statistics of Crime, which was laid upon the table and ordered printed.

(See Assembly Document No. 40.)

Mr. Cuvillier introduced a bill entitled "An act to amend the Greater New York charter, in relation to kinetoscope and moving picture performances" (Int. No. 1535), which was read the first time and referred to the committee on affairs of cities.

Mr. Caughlan introduced a bill entitled "An act to amend the Greater New York charter, in relation to playgrounds" (Int. No. 1536), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Judiciary Law, in relation to the qualifications of trial jurors in the county of New York" (Int. No. 1537), which was read the first time and referred to the committee on the judiciary.

Mr. Gibbs introduced a bill entitled "An act to amend the Greater New York charter, in relation to the police pension fund" (Int. No. 1538), which was read the first time and referred to the committee on affairs of cities.

Mr. Hover introduced a bill entitled "An act to amend the Highway Law, in relation to establishing a new State route in the county of Columbia" (Int. No. 1539), which was read the first time and referred to the committee on internal affairs.

Mr. McGrath introduced a bill entitled "An act to amend the Conservation Law, being chapter six hundred and forty-seven of the Laws of nineteen hundred and eleven, constituting chapter sixty-five of the Consolidated Laws, as amended by chapter three hundred and eighteen of the Laws of nineteen hundred and twelve and by chapter four hundred and forty-four of the Laws of nineteen hundred and twelve in relation to suits and prosecutions;

actions to recover penalties; actions for penalties and costs in actions by the people of the State of New York, and generally" (Int. No. 1540), which was read the first time and referred to the committee on conservation.

Mr. Sutphin introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to powers of clerks to surrogates' courts" (Int. No. 1541), which was read the first time and referred to the committee on codes.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to applications for policies of insurance" (Int. No. 1542), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Insurance Law, in relation to the exaction of charges in the inspection of electrical installation" (Int. No. 1543), which was read the first time and referred to the committee on insurance.

Also, "An act to amend the Conservation Law, in relation to the sale of game birds and deer" (Int. No. 1544), which was read the first time and referred to the committee on conservation.

Mr. Phillips introduced a bill entitled "An act to extend the time of the Rochester Corning-Elmira Traction Company, its successors or assigns, to begin the construction of its road, to expend thereon ten per centum of the amount of its capital, and to finish its road and to put it into operation" (Int. No. 1545), which was read the first time and referred to the committee on the judiciary.

Also, "An act to abolish the grade crossing of the New York Central and Hudson River railroad and the Buffalo, Rochester and Pittsburgh railroad at Brown street in the city of Rochester" (Int. No. 1546), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Railroad Law, in relation to extending the time within which a railroad may be constructed where there has been a receiver in certain cities" (Int. No. 1547), which was read the first time and referred to the committee on the judiciary.

Mr. Kenney introduced a bill entitled "An act to legalize certain assessments" (Int. No. 1548), which was read the first time and referred to the committee on the judiciary.



Mr. Emden introduced a bill entitled "Concurrent resolution proposing an amendment to section four of article two of the Constitution, in relation to registration of voters" (Int. No. 1549), which was read the first time and referred to the committee on the judiciary.

Mr. Magee introduced a bill entitled "An act to provide for the construction of a bridge over the Genesee river at or near Portage, in Letchworth Park, and making an appropriation therefor" (Int. No. 1550), which was read the first time and referred to the committee on ways and means.

Mr. Daley introduced a bill entitled "An act to provide for the erection of new vocational high school in the city of Syracuse" (Int. No. 1551), which was read the first time and referred to the committee on affairs of cities.

Mr. O'Brien introduced a bill entitled "An act to amend the Highway Law, in relation to the construction and improvement of State and county highways in villages and cities of the second and third classes" (Int. No. 1552), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Village Law, in relation to the borrowing of money for highway purposes" (Int. No. 1553), which was read the first time and referred to the committee on affairs of villages.

Mr. Cuvillier introduced a bill entitled "An act to amend the Civil Service Law, in relation to the power of removal" (Int. No. 1554), which was read the first time and referred to the committee on the judiciary.

Mr. Levy introduced a bill entitled "An act to amend the Public Service Commissions Law, being chapter four hundred and eighty of the Laws of nineteen hundred and ten, constituting chapter forty-eight of the Consolidated Laws, in relation to common carriers by water" (Int. No. 1555), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Transportation Corporations Law, being chapter two hundred and nineteen of the Laws of nineteen hundred and nine, constituting chapter sixty-three of the Consolidated Laws, relative to navigation corporations" (Int. No. 1556), which was read the first time and referred to the committee on the judiciary.

Mr. McGrath, from the committee on Codes, to which was referred Assembly bill introduced by Mr. Lewis (No. 1427, Int. No. 1316), entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of the Board of Claims," reported the same with the following amendment:

On page 1, line 7, after the word "heretofore" insert "or hereafter".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McGrath, from the committee on Codes, to which was referred Assembly bill introduced by Mr. Goldberg (No. 1262, Int. No. 1178), entitled "An act to amend the Inferior Criminal Courts Act of the City of New York in relation to the city magistrates court," reported the same with the following amendments:

Page 1, line 1, strike out "seventy-two" and insert "fifty-two".

Page 1, line 5, before "is" insert "as amended by chapter four hundred and sixty-four of the Laws of nineteen hundred and twelve,".

Page 1, between lines 6 and 7, insert:

"§ 52. Qualification of magistrates. No person shall be appointed to the office of city magistrate unless he shall have been admitted to practice as an attorney and counselor-at-law of the Supreme Court of the State at least three [five] years prior to the date of such appointment, unless he was a city magistrate, or was acting as a city magistrate on or before the first day of January, nineteen hundred and five.

"§ 2. Section sixty of such act is hereby amended to read as follows:

"§ 60. Additional magistrates. Whenever two-thirds in number of the magistrates of a division shall transmit to the [board of estimate and apportionment] mayor a certificate signed by them that in their opinion the business of said magistrates' courts in said division is such as to require an increase in the number of city magistrates, the [board of aldermen of the city of New York] mayor may [upon the recommendation of the board of estimate and apportionment, subject to the veto of the mayor, by ordinance or ordinances,] provide for an increase in the number of said city magistrates, and such additional city magistrates shall be appointed for two, four, six, eight or ten years, as the expiration of the terms of city magistrates holding office shall require, in order that, as nearly as may be, an equal number of

city magistrates shall be appointed every two years. The successor of each of such city magistrates shall be appointed by the mayor for the full term of ten years. The comptroller of the city of New York, with the action or concurrence of the board of estimate and apportionment of the city, shall make provision by the issue and sale of special revenue bonds, until due and adequate provision shall thereafter be made therefor in the annual budget of such city, for the salaries of additional magistrates appointed pursuant to the provisions of this section."

" § 3. Section seventy-two of such act is hereby amended to read as follows:"

Page 2, line 3, strike out the comma and the remainder of the line.

Page 2, line 4, strike out all of the line down to the period.

Page 2, line 21, change " 2 " to " 4 ".

Page 3, line 23, change " 3 " to " 5 ".

Page 4, line 19, change " 4 " to " 6 ".

Page 5, line 15, change " 5 " to " 7 ".

Page 6, line 25, change " 6 " to " 8 ".

Page 8, line 7, change " 7 " to " 9 ".

Page 10, line 11, change " 8 " to " 10 ".

Page 11, line 6, change " 9 " to " 11 ".

Page 16, line 25, change " 10 " to " 12 ".

Page 19, line 9, change " 11 " to " 13 ".

Page 21, line 10, change " 12 " to " 14 ".

Page 23, line 10, change " 13 " to " 15 ", and line 11, change " 14 " to " 16 ".

Page 25, line 5, change " 15 " to " 17 ".

Page 25, line 18, change " 16 " to " 18 ".

Page 25, line 25, change " 17 " to " 19 ".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Cole, from the committee on agriculture, to which was referred Assembly bill introduced by Mr. Cole (No. 1145, Int. No. 1072), entitled "An act to amend the Agricultural Law, in relation to the creation of a bureau of supervision of co-operative associations."

Also, Assembly bill introduced by Mr. Cole (No. 956, Int. No. 912), entitled "An act to amend the Agricultural Law, in relation to branding skim-milk cheese."

Also, Assembly bill introduced by Mr. Cole (No. 958, Int. No. 914), entitled "An act to amend the Agricultural Law, in relation

to adulterated milk," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Greater New York charter, in relation to creating a new district for the municipal court of the borough of Brooklyn, changing the boundary lines of existing districts and providing for the election of one additional justice therefrom." (No. 1587, Int. No. 683.)

"An act to amend the Code of Civil Procedure, in relation to service of summons without the State." (No. 676, Int. No. 650.)

"An act to amend the Greater New York charter, in relation to the powers of the commissioners of the sinking fund." (No. 1155, Int. No. 1082.)

"An act to amend the Greater New York charter, in relation to assessments for local improvements confirmed after the first day of January, nineteen hundred and eight." (No. 1303, Int. No. 1204.)

"An act to amend the Town Law, in relation to the powers of supervisors and assessors in certain towns to employ clerks." (No. 1187, Int. No. 1108).

"An act making provision for issuing bonds to the amount of not to exceed forty million dollars for the improvement of the canal system of the State by the extension of the Black River canal, the reconstruction of the Chemung canal, the conversion of the Glens Falls feeder into a canal, the construction of a canal between Flushing river and Jamaica bay, and for the purchase of lands required for said improvements, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and thirteen." (No. 732, Int. No. 695.)

"An act to amend the Lien Law, in relation to the refileing of chattel mortgages and the entry thereof." (No. 423, Int. No. 421.)

"An act to amend the Labor Law, in relation to cleanliness of workrooms in factories." (No. 1479, Int. No. 519.)

"An act to amend the Labor Law, in relation to automatic sprinklers." (No. 1594, Int. No. 517.)

“An act to amend chapter four hundred and eighty-one of the Laws of nineteen hundred and ten, being chapter forty-nine of the Consolidated Laws, known as the Railroad Law, by adding a section thereto prescribing the minimum number of employees to be employed in the operation of certain trains.” (No. 1526, Int. No. 45.)

“An act making an appropriation for the payment of the State’s share of the expense of acquiring the Union bridge crossing the Hudson river between the counties of Saratoga and Rensselaer.” (No. 1529, Int. No. 60.)

“An act to amend the Insurance Law, in relation to the standard fire insurance policy of the State of New York, and the adjustment of losses thereunder.” (No. 1592, Int. No. 875.)

“An act to amend the General Business Law, in relation to establishing the standard of four-pound grape basket.” (No. 1527, Int. No. 573.)

“An act to amend the Labor Law, in relation to the protection of employees operating machinery, dust creating machinery, and the lighting of factories and workrooms.” (No. 1595, Int. No. 973.)

“An act to legalize certain acts and proceedings of the former village of Saint Regis Falls, its voters, officers and agents, dissolving such village, and to confirm and make effectual such dissolution.” (No. 1478, Int. No. 1111.)

“An act making an appropriation for the payment of the State’s share of the expense of acquiring the bridge of the Stillwater Bridge Company crossing the Hudson river between the counties of Saratoga and Rensselaer.” (No. 1530, Int. No. 59.)

“An act to authorize the use of certain land owned by the State in Ulster county for a game farm, and making an appropriation for the equipment and stocking thereof. (No. 1528, Int. No. 933.)

“An act to amend the Conservation Law, in relation to taking certain fish in Ten Mile river in the towns of Amenia and Dover in the county of Dutchess.” (No. 1522, Int. No. 726.)

The bill (No. 371, Int. No. 367) entitled “An act to regulate and restrain the practice of midwifery in the city of Syracuse by others than legally authorized physicians,” was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1480, Int. No. 1268) entitled "An act to amend the Labor Law, in relation to the organization of the Department of Labor and its various bureaus, the creation of an industrial board, and the extension of the department's jurisdiction over mercantile establishments in cities of the second class," having been announced for a second reading,

On motion of Mr. Jackson, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 664, Int. No. 638) entitled "An act to amend chapter three hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to provide a park board in and for the city of Utica,' relative to the powers of said board," was read the second time.

On motion of Mr. Allen, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 893, Int. No. 851) entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the board of public works of the city of New Rochelle," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 894, Int. No. 852) entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 904, Int. No. 861) entitled "An act to permit the city of Mount Vernon to provide for the special lighting of the business district of said city, and to assess the cost thereof upon the abutting property," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1197, Int. No. 1118) entitled "An act to amend

chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' generally," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 737, Int. No. 709) entitled "An act to amend the Civil Service Law, in relation to examinations for promotion in the police or fire department of a city," was read the second time.

On motion of Mr. Caughlan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1420, Int. No. 1309) entitled "An act to amend the Greater New York charter, in relation to tax liens," was read the second time.

On motion of Mr. Donohue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 309, Int. No. 305) entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to the police force, its members and officers and the powers of the common council in relation thereto," was read the second time.

On motion of Mr. Doty, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1223, Int. No. 1144) entitled "An act to amend the Greater New York charter, in relation to the police pension fund," was read the second time.

On motion of Mr. Hammer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1485, Int. No. 1360) entitled "An act to amend the Greater New York charter, with respect to the construction of tunnels and shafts and the erection, instalation and operation of elevators and escalators connecting public streets and places," was read the second time.

On motion of Mr. Hammer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 623, Int. No. 603) entitled "An act to amend



the Greater New York charter, in relation to assistant fire marshals," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 572, Int. No. 558) entitled "An act to provide a recreation pier and casino on Buffalo park property for the people of the city of Buffalo," was read the second time.

On motion of Mr. Small, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1511, Int. No. 1386) entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,' in relation to the compensation of commissioners of estimate and appraisal appointed in pursuance of said act," was read the second time.

On motion of Mr. Weil, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 310, Int. No. 306) entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to compensation of city officers," was read the second time.

On motion of Mr. Doty, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1586, Int. No. 1119) entitled "An act to amend chapter one hundred and forty-two of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Corning,' in relation to apparatus and buildings for fire prevention," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1585, Int. No. 691) entitled "An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act, entitled "An act to incorporate The Greenwood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the designation of those to be interred in



alienable lots and the transfer of such lots in certain cases," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1288, Int. No. 1189) entitled "An act to amend the Education Law, in relation to free text-books," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 380, Int. No. 376) entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Cook Academy at Montour Falls, in the county of Schuyler, and making an appropriation therefor," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 837, Int. No. 647) entitled "An act to amend the General Business Law, in relation to standard barrels for pears and quinces," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1044, Int. No. 992) entitled "An act to amend the Labor Law, in relation to the physical examination of children employed in factories and cancellation of their employment certificates because of physical unfitness," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 795, Int. No. 760) entitled "An act to build and equip a range of glass houses for teaching floriculture and vegetable culture at the New York State College of Agriculture at Cornell University, making an appropriation therefor, and providing for the appointment of an advisory committee," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1418, Int. No. 503) entitled "An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights constituting chapter six of the Consolidated Laws,' " having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1392, Int. No. 1282) entitled "An act to establish the New York commercial tercentenary commission, and prescribe the powers and duties thereof," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 276, Int. No. 272) entitled "An act to amend section fifteen hundred and sixty-nine of the Code of Civil Procedure, in relation to the payment of a gross sum in lieu of dower," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1188, Int. No. 1109) entitled "An act authorizing the board of town auditors of the town of White Plains to hear, audit, determine and allow the alleged claim of Alice Cox Anderson for services rendered the said town of White Plains as clerk of the board of assessors of said town, and to provide for the payment of such claim," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1156, Int. No. 1083) entitled "An act to amend chapter sixty-eight of the Laws of eighteen hundred and sixty, entitled 'An act to consolidate and amend the several acts relating

to the village of Catskill,' generally," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 777, Int. No. 748) entitled "An act to amend the County Law, in relation to the establishment of county hospital for tuberculosis," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 88, Int. No. 88) entitled "An act to amend the Stock Corporation Law, in relation to the certificate of increase or reduction of capital stock of a banking or insurance corporation," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 100, Int. No. 100) entitled "An act to amend the Penal Law, in relation to the issuance or circulation of false literature by insurance corporations," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 638, Int. No. 618) entitled "An act to amend section seventeen of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' as amended by chapter six hundred and three of the Laws of nineteen hundred and seven, in relation to hour for opening of court," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 800, Int. No. 765) entitled "An act to amend the Benevolent Orders Law, in relation to the National Order of

the Daughters of Isabella," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1513, Int. No. 655) entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1417, Int. No. 281) entitled "An act to authorize the village of Peekskill, in Westchester county, to widen Washington street in said village between Hudson avenue and South street, to acquire title to the land necessary for such widening, and to issue bonds for said purpose," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 815, Assembly Reprint No. 1516, Rec. No. 68) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attachment of property and compensation of marshals," having been announced for a third reading,

On motion of Mr. Levy, by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill No. 1155, Int. No. 1082) entitled "An act to amend the Greater New York charter, in relation to the powers of the commissioners of the sinking fund," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 723, Int. No. 695) entitled "An act making provision for issuing bonds to the amount of not to exceed forty

million dollars for the improvement of the canal system of the State by the extension of the Black River canal, the reconstruction of the Chemung canal, the conversion of the Glens Falls feeder into a canal, the construction of a canal between Flushing river and Jamaica bay, and for the purchase of lands, required for said improvement, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and thirteen," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 676, Int. No. 650) entitled "An act to amend the Code of Civil Procedure, in relation to service of summons without the State," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1303, Int. No. 1204) entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements confirmed after the first day of January, nineteen hundred and eight," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1187, Int. No. 1108) entitled "An act to amend the Town Law, in relation to the powers of supervisors and assessors in certain towns to employ clerks," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 423, Int. No. 421) entitled "An act to amend the Lien Law, in relation to the refiling of chattel mortgages and the entry thereof," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1587, Int. No. 683) entitled "An act to amend the Greater New York charter, in relation to creating a new district for the municipal court of the borough of Brooklyn, changing the boundary lines of existing districts and providing for the election of one additional justice therefrom," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1476, Int. No. 196) entitled "An act to amend the Civil Service Law, in relation to vacations and leaves of absence for employees," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1472, Int. No. 516) entitled "An act to amend the Labor Law, in relation to seats in factories and other establishments for female employees," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1593, Int. No. 515) entitled "An act to amend the Labor Law, in relation to fire alarm signal systems and fire drills," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1596, Int. No. 976) entitled "An act to amend the Labor Law, in relation to washrooms, dressing rooms and water closets in factories," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1597, Int. No. 980) entitled "An act to amend the Penal Law, in relation to violations of provisions of the Labor Law, the industrial code, the rules and regulations of the

industrial board of the Department of Labor and the orders of the Commissioner of Labor," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1598, Int. No. 993) entitled "An act to amend the Labor Law, in relation to elevators and hoisting shafts in factory buildings," have been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1475, Int. No. 215) entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1473, Int. No. 1159) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1474, Int. No. 119) entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1527, Int. No. 573) entitled "An act to amend  
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the General Business Law, in relation to establishing the standard of four-pound grape basket," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1479, Int. No. 519) entitled "An act to amend the Labor Law, in relation to cleanliness of workrooms in factories," having been announced for a third erading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1526, Int. No. 45) entitled "An act to amend chapter four hundred and eighty-one of the Laws of nineteen hundred and ten, being chapter forty-nine of the Consolidated Laws, known as the Railroad Law, by adding a section thereto prescribing the minimum number of employees to be employed in the operation of certain trains," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1594, Int. No. 517) entitled "An act to amend the Labor Law, in relation to automatic sprinklers," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1595, Int. No. 973) entitled "An act to amend the Labor Law, in relation to the protection of employees operating machinery, dust creating machinery, and the lighting of factories and workrooms," having been announced,

Mr. Jackson moved that said bill be recommitted to the committee on labor and industries, with instructions to report the same forthwith amended as follows:

Page 2, line 18, add the letter " r " to the word " hand-plane ".

Page 4, line 18, strike out the bracket.

Page 4, line 19, strike out the bracket.



Page 6, line 6, insert " the " after the word " for " and before the word " work ".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Patrie, from the committee on labor and industries, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1528, Int. No. 933) entitled "An act to authorize the use of certain land owned by the State in Ulster county for a game farm, and making an appropriation for the equipment and stocking thereof," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1478, Int. No. 1111) entitled "An act to legalize certain acts and proceedings of the former village of Saint Regis Falls, its voters, officers and agents, dissolving such village, and to confirm and make effectual such dissolution," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1529, Int. No. 60) entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the Union bridge crossing the Hudson river between the counties of Saratoga and Rensselaer," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1530, Int. No. 59) entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the bridge of the Stillwater Bridge Company crossing the Hudson river between the counties of Saratoga and Rensselaer," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1522, Int. No. 726) entitled "An act to amend the Conservation Law, in relation to taking certain fish in Ten Mile river in the towns of Amenia and Dover in the county of Dutchess," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1592, Int. No. 875) entitled "An act to amend the Insurance Law, in relation to the standard fire insurance policy of the State of New York, and the adjustment of losses thereunder," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 521, Int. No. 510) entitled "An act to amend the Labor Law, in relation to the clean, sanitary and safe condition of factory buildings," having been announced,

Mr. Jackson moved that said bill be recommitted to the committee on labor and industries, with instructions to report the same forthwith amended as follows:

Page 2, line 5, after the word "kept" insert the following: "in proper repair and".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Patrie, from the committee on labor and industries, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. McGrath offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the bill (No. 1675, Int. No. 1517), entitled "An act to amend the Highway Law, in relation to motor vehicles."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. McGrath moved to amend as follows:

Page 3, line 5, strike out the bracket before "ex-".

Page 3, line 6, insert a bracket before "motor".

Page 4, line 21, strike out the bracket before the comma.

Page 4, line 23, strike out the bracket before the period and insert in italics "which licensed chauffeur or owner not under eighteen years of age shall be personally liable for violation of any of the provisions of this article."

Page 8, line 18, after the number "8", strike out the entire subdivision and insert in italics "Upon the sale or transfer of a motor vehicle, registered in accordance with this section, its registration shall expire, and the person in whose name such vehicle is registered shall return, forthwith, the certificate of registration to the Secretary of State with a written notice containing the date of such transfer of ownership, and the name, place of residence and post office address of the new owner. A person who transfers the ownership of a registered motor vehicle, owned by him, to another upon the filing of a new application, and upon the payment of a fee of two dollars may have registered for the remainder of the calendar year, provided that the horsepower of such other motor vehicle is the same or less than that of the motor vehicle registered by him, the certificate of which has been surrendered; but if the horsepower of such other motor vehicle is greater than that of the motor vehicle first registered by him, the applicant shall pay in addition to said fee the difference between the fee paid by him for such vehicle first registered and the fee for the registration of the motor vehicle of the higher horsepower. The Secretary, at his discretion, may assign to the motor vehicle of any person who surrenders his registration certificate, as herein provided, and who desires to register another motor vehicle, the registration number of the motor vehicle described in the surrendered certificate."

Page 22, line 20, strike out "fifteen" and insert in italics "fourteen".

Page 25, line 1, strike out "not under eighteen years of age".

Page 25, line 9, eliminate the paragraph and transpose "Every" to line 8 after "article".

Page 26, line 23, after the comma insert in italics "shall be guilty of a misdemeanor and".

Page 27, line 4, strike out "two" and insert in italics "one".

Page 27, line 4, strike out "years" and insert in italics "year".

Page 29, line 8, after the comma insert in italics "shall be guilty of a misdemeanor and".

Page 30, line 4, after the comma insert in italics "shall be guilty of a misdemeanor and".

Page 33, line 23, enclose in brackets the word "three" and insert in italics "two".

Page 39, line 20, enclose in brackets the word "On" and insert in italics "The balance of moneys derived from fines and penalties, after making the deductions herein provided for, shall belong to the State and be paid into the State Treasury by the Secretary of State, as provided in the State Finance Law, and on".

Page 40, line 21, strike out brackets and the word "August" enclosed therein and print the word "January" in roman type.

Page 40, line 22, strike out the brackets and the word "ten" enclosed therein and print the word "fourteen" in roman type.

Page 40, line 25, strike out "the time of the taking effect of this act" and insert such "date".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. McGrath, said bill was ordered reprinted and recommitted to said committee.

On motion of Mr. Levy, the House adjourned.

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### FRIDAY, MARCH 7, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Ernest P. Neville.

On motion of Mr. Cuvillier, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the Society of the New York Hospital, which was laid upon the table and ordered printed.

(See Assembly Document No. 41.)

Also, the annual report of the State Board of Managers of Reformatories, which was laid upon the table and ordered printed.

(See Senate Document No. 43.)

Also, the Third Annual Report of the Commissioners of the Fire Island State Park, which was laid upon the table and ordered printed.

(See Senate Document No. 44.)

Mr. Hearn introduced a bill entitled "An act to amend the General Business Law, in relation to equipment of moving picture theaters" (Int. No. 1557), which was read the first time and referred to the committee on general laws.

Mr. McKee introduced a bill entitled "An act to amend the Greater New York charter, in relation to a retirement fund for the supervising and teaching staff of the normal college" (Int. No. 1558), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act designating the seventeenth day of March of each year as a public holiday to be known as St. Patrick's day" (Int. No. 1559), which was read the first time and referred to the committee on the judiciary.

Mr. G. T. Seelye introduced a bill entitled "An act to amend chapter two hundred and forty-three of the Laws of eighteen hundred and fifty-nine, entitled 'An act to amend the charter and several acts relating to the village of Waterford, and to incorporate the same into one act,' generally" (Int. No. 1560), which was read the first time and referred to the committee on affairs of villages.

Mr. Schnirel introduced a bill entitled "An act in relation to school district number one of the town of Seneca, Ontario county, and repealing various acts affecting such district and schools within the territory thereof" (Int. No. 1561), which was read the first time and referred to the committee on public education.

Mr. Jackson introduced a bill entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks, in Erie county" (Int. No. 1562), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Doty (No. 310, Int. No. 306), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to compensation of city officers."

Also, the bill introduced by Mr. T. K. Smith (No. 371, Int. No. 367), entitled "An act to regulate and restrain the practice of midwifery in the city of Syracuse by others than legally authorized physicians."

Also, the bill introduced by Mr. Small (No. 572, Int. No. 558), entitled "An act to provide a recreation pier and casino on Buffalo park property for the people of the city of Buffalo."

Also, the bill introduced by Mr. Allen (No. 664, Int. No. 638), entitled "An act to amend chapter three hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to provide a park board in and for the city of Utica,' relative to the powers of said board."

Also, the bill introduced by Mr. Coughlan (No. 737, Int. No. 717), entitled "An act to amend the Civil Service Law, in relation to examinations for promotion in the police or fire department of a city."

Also, the bill introduced by Mr. Borie (No. 894, Int. No. 852), entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle."

Also, the bill introduced by Mr. Borie (No. 904, Int. No. 861), entitled "An act to permit the city of Mount Vernon to provide for the special lighting of the business district of said city, and to assess the cost thereof upon the abutting property."

Also, the bill introduced by Mr. Hammer (No. 1223, Int. No. 1144), entitled "An act to amend the Greater New York charter, in relation to the police pension fund."

Also, the bill introduced by Mr. Hammer (No. 1485, Int. No. 1380), entitled "An act to amend the Greater New York charter, with respect to the construction of tunnels and shafts and the erection, installation and operation of elevators and escalators connecting public streets and places."

Also, the bill introduced by Mr. Weil (No. 1511, Int. No. 1386), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,' in relation to the compensation of commissioners of estimate and appraisal appointed in pursuance of said act," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Doty (No. 309, Int. No. 305), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to

incorporate the city of Port Jervis,' in relation to the police force, its members and officers and the powers of the common council in relation thereto," reported the same with the following recommendation:

On page 1, line 8, strike out the last "s" in the word "assessors".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bovie (No. 893, Int. No. 851), entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle, in relation to the board of public works of the city of New Rochelle,'" reported the same with the following recommendation:

On page 1, line 6, insert after the word "commissioners" the words "a corporation counsel,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Donohue (No. 1420, Int. No. 1309), entitled "An act to amend the Greater New York charter, in relation to tax liens," reported the same with the following recommendation:

On page 3, line 20, strike out the word "On", appearing the second time, and insert in place thereof the word "Or".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bush (No. 1197, Int. No. 1118), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' generally," reported the same with the following recommendations:

On page 3, line 1, after the word "judge" insert a comma.

On page 12, line 21, strike out the comma after the word "chamberlain".

On page 13, line 11, after the word "chamberlain" insert a comma.



Also, the bill introduced by Mr. Allen (No. 664, Int. No. 638), entitled "An act to amend chapter three hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to provide a park board in and for the city of Utica,' relative to the powers of said board."

Also, the bill introduced by Mr. Caughlan (No. 737, Int. No. 709), entitled "An act to amend the Civil Service Law, in relation to examinations for promotion in the police or fire department of a city."

Also, the bill introduced by Mr. Bovie (No. 894, Int. No. 852), entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle."

Also, the bill introduced by Mr. Bovie (No. 904, Int. No. 861), entitled "An act to permit the city of Mount Vernon to provide for the special lighting of the business district of said city, and to assess the cost thereof upon the abutting property."

Also, the bill introduced by Mr. Hammer (No. 1223, Int. No. 1144), entitled "An act to amend the Greater New York charter, in relation to the police pension fund."

Also, the bill introduced by Mr. Hammer (No. 1485, Int. No. 1360), entitled "An act to amend the Greater New York charter, with respect to the construction of tunnels and shafts and the erection, installation and operation of elevators and escalators connecting public streets and places."

Also, the bill introduced by Mr. Weil (No. 1511, Int. No. 1386), entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,' in relation to the compensation of commissioners of estimate and appraisal appointed in pursuance of said act," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Doty (No. 309, Int. No. 305), entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to



incorporate the city of Port Jervis,' in relation to the police force, its members and officers and the powers of the common council in relation thereto," reported the same with the following recommendation:

On page 1, line 8, strike out the last "s" in the word "assessors".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bovie (No. 893, Int. No. 851), entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle, in relation to the board of public works of the city of New Rochelle,'" reported the same with the following recommendation:

On page 1, line 6, insert after the word "commissioners" the words "a corporation counsel,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Donohue (No. 1420, Int. No. 1309), entitled "An act to amend the Greater New York charter, in relation to tax liens," reported the same with the following recommendation:

On page 3, line 20, strike out the word "On", appearing the second time, and insert in place thereof the word "Or".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Bush (No. 1197, Int. No. 1118), entitled "An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' generally," reported the same with the following recommendations:

On page 3, line 1, after the word "judge" insert a comma.

On page 12, line 21, strike out the comma after the word "chamberlain".

On page 13, line 11, after the word "chamberlain" insert a comma.

One page 13, line 17, after the word "same" insert a comma.

On page 17, line 9, strike out the comma after the word "city".

On page 20, line 10, insert a comma after the word "chapter".

On page 20, line 10, strike out the commas before and after the word "macadam".

On page 20, line 11, strike out the comma after the word "include".

One page 20, line 18, insert comma after the word "street", appearing the second time.

On page 21, line 3, insert a comma after the word "construction".

On page 23, line 12, insert a comma after the word "dollars".

On page 25, line 5, insert after the word "built" a comma and and the word "rebuilt".

On page 30, line 22, insert after the word "engineer" a comma.

On page 31, line 2, strike out the commas after the words "engineer" and "captain".

On page 31, line 14, strike out the comma after the word "engineer".

On page 32, line 5, insert a comma after the word "respectively".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Labor Law, in relation to fines imposed by employers upon workmen." (No. 1252, Int. No. 1168.)

"An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally." (No. 1107, Int. No. 110.)

"An act to amend the Greater New York charter, in relation to commissioners of deeds." (No. 1517, Int. No. 467.)

"An act to amend the Lien Law, in relation to liens of bailees for hire upon personal property." (No. 1521, Int. No. 583.)

"An act to repeal section thirteen of the Decedent Estate Law, in relation to devises of real property to aliens." (No. 731, Int. No. 703.)

"An act to amend the Greater New York charter, in relation to vacations for employees." (No. 471, Int. No. 466.)

"An act to amend the Public Health Law, in relation to violations of the provisions relating to pharmacy." (No. 1215, Int. No. 1136.)

"An act to amend the Real Property Law, in relation to tenure of real property by aliens." (No. 1275, Int. No. 704.)

"An act to amend the Greater New York charter, in relation to plans for water fronts." (No. 1379, Int. No. 593.)

The bill (No. 1145, Int. No. 1072) entitled "An act to amend the Agricultural Law, in relation to the creation of a bureau of supervision of co-operative associations," was read the second time.

On motion of Mr. Cole, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 956, Int. No. 912) entitled "An act to amend the Agricultural Law, in relation to branding skim-milk cheese," was read the second time.

On motion of Mr. Cole, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 958, Int. No. 914) entitled "An act to amend the Agricultural Law, in relation to adulterated milk," was read the second time.

On motion of Mr. Cole, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Cuvillier, the House adjourned.

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## MONDAY, MARCH 10, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Walter T. Bazaar.

On motion of Mr. Levy, the reading of the journal of Friday, March 7th, was dispensed with and the same was approved.

Mr. Speaker presented the Fortieth and Forty-first Annual Report of the Le Couteulx St. Mary's Institution, which was laid upon the table and ordered printed.

(See Assembly Document No. 43.)

Also, the annual report of the State Architect, which was laid upon the table and ordered printed.

(See Assembly Document No. 42.)

Mr. Bovie introduced a bill entitled "An act to amend the Town Law, in relation to expenses of sewer commissioners" (Int. No. 1563), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Town Law, in relation to sewer commissioners, their subordinates and expenses" (Int. No. 1564), which was read the first time and referred to the committee on internal affairs.

Mr. Bradley, by request, introduced a bill entitled "An act to amend chapter three hundred of the Laws of nineteen hundred and four, entitled 'An act to revise and consolidate the several acts relative to the city of Niagara Falls,' relative to the policemen's relief and pension fund" (Int. No. 1565), which was read the first time and referred to the committee on affairs of cities.

Mr. Emden introduced a bill entitled "An act to provide for the construction of junction locks at Rome and Mohawk to connect the present Erie canal and the barge canal, pursuant to the plan of retaining the portion of the present Erie canal between Rome and Mohawk as a part of the barge canal terminal system, and making an appropriation therefor" (Int. No. 1566), which was read the first time and referred to the committee on ways and means.

Mr. Doty introduced a bill entitled "An act to amend the Conservation Law, in relation to the open season for raccoon" (Int. No. 1567), which was read the first time and referred to the committee on conservation.

Mr. P. J. Kelly introduced a bill entitled "An act to amend the Prison Law, in relation to prison labor" (Int. No. 1568), which was read the first time and referred to the committee on penal institutions.

Mr. Phillips introduced a bill entitled "An act to amend the Insanity Law, in relation to the retirement of employees of State hospitals for the insane" (Int. No. 1569), which was read the first time and referred to the committee on ways and means.

Mr. Pullman introduced a bill entitled "An act to provide for the acquisition of land for a game farm in the county of Herki-

mer, and making an appropriation therefor" (Int. No. 1570), which was read the first time and referred to the committee on ways and means.

Mr. Phillips introduced a bill entitled "An act in relation to the collection of taxes in Monroe county" (Int. No. 1571), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Schnirel introduced a bill entitled "An act conferring jurisdiction upon the county court of Ontario county in matters relating to children; and regulating the procedure in such cases, including the temporary detention of children, a probation system and the appointment of guardians" (Int. No. 1572), which was read the first time and referred to the committee on the judiciary.

Also, "An act conferring jurisdiction upon the county court of Ontario county over cases involving offenses against children under sixteen years of age, as defined in article forty-four of the Penal Law, and regulating the procedure therein" (Int. No. 1573), which was read the first time and referred to the committee on the judiciary.

Mr. Cuvillier introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to sales of liquor to inmates of the Soldiers' and Sailors' Home at Bath" (Int. No. 1574), which was read the first time and referred to the committee on excise.

Mr. Lewis introduced a bill entitled "An act to amend chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' in relation to procedure in connection with trial by jury" (Int. No. 1575), which was read the first time and referred to the committee on codes.

Mr. Hover introduced a bill entitled "An act to amend chapter seven hundred and fifty-one of the Laws of eighteen hundred ninety-five, entitled 'An act to revise and consolidate the several acts in relation to the city of Hudson; to revise the charter of said city; and to establish a city court therein and define its jurisdiction and powers,' in relation to the issue and sale of bonds for the purpose of building, rebuilding, enlarging and repairing school buildings in said city, and purchasing furniture, equipment and sites therefor" (Int. No. 1576), which was read the first time and referred to the committee on affairs of cities.

Mr. Monohan introduced a bill entitled "An act to amend the Greater New York charter, in relation to qualifications of superintendents of buildings and certain subordinates in the bureau of buildings" (Int. No. 1577), which was read the first time and referred to the committee on affairs of cities.

Mr. Goldberg introduced a bill entitled "An act to amend the Membership Corporations Law, in relation to the exchange and cancellation of certificates" (Int. No. 1578), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Executive Law, in relation to the publication of a statement of names changed" (Int. No. 1579), which was read the first time and referred to the committee on the judiciary.

Mr. Evans introduced a bill entitled "An act to amend the Highway Law, in relation to the construction of State and county highways in cities and villages" (Int. No. 1580), which was read the first time and referred to the committee on internal affairs.

Mr. Brewster introduced a bill entitled "An act act to amend the Labor Law, in relation to the clean, sanitary and safe condition of factory buildings in which lead is used or manufactured and to protect the health of employees in such buildings" (Int. No. 1581), which was read the first time and referred to the committee on labor and industries.

Also, "An act to amend the State Charities Law, in relation to the retirement of employees of State charitable institutions" (Int. No. 1582), which was read the first time and referred to the committee on ways and means.

Mr. Knott introduced a bill entitled "An act to amend the Penal Law, in relation to listing or trading in securities" (Int. No. 1583), which was read the first time and referred to the committee on codes.

Mr. Weil introduced a bill entitled "An act to provide for an investigation of the affairs of the New York Telephone Company by the Public Service Commission of the second district for the purpose of fixing the charges of such company for telephone service in the city of New York" (Int. No. 1584), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Dox introduced a bill entitled "An act to amend the Educa-

tion Law, relative to apportionment of school moneys" (Int. No. 1585), which was read the first time and referred to the committee on public education.

Mr. Grimme introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to foreclosure of mortgages" (Int. No. 1586), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Real Property Law, in relation to acknowledgments and proofs of conveyances by attorneys-at-law" (Int. No. 1587), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Code of Civil Procedure, in relation to fees of jurors in certain special proceedings" (Int. No. 1588), which was read the first time and referred to the committee on codes.

Mr. Gibbs introduced a bill entitled "An act to amend the Education Law, in relation to public school dispensaries in cities of the first class" (Int. No. 1589), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Education Law, in relation to school kitchens and dining-rooms in cities of the first class" (Int. No. 1590), which was read the first time and referred to the committee on public education.

Mr. Hinman introduced a bill entitled "An act to amend chapter two hundred and twelve of the Laws of nineteen hundred and seven, entitled 'An act to amend chapter two hundred and sixty-one of the Laws of nineteen hundred, entitled "An act to amend chapter three hundred and forty-one of the Laws of eighteen hundred and seventy-two, entitled 'An act in reference to the Young Men's Association for mutual improvement in the city of Albany,' " relative to the board of trustees, vacancies therein, et cetera" (Int. No. 1591), which was read the first time and referred to the committee on the judiciary.

Mr. Donohue introduced a bill entitled "An act to amend chapter ninety-nine of the Laws of nineteen hundred and nine, constituting chapter sixty-one of the Consolidated Laws, and known as the Tenement-house Law" (Int. No. 1592), which was read the first time and referred to the committee on affairs of cities.

Mr. Denney introduced a bill entitled "An act to amend the



Code of Civil Procedure, in relation to the admission of testimony of witnesses in negligence cases" (Int. No. 1593), which was read the first time and referred to the committee on codes.

Mr. Prime introduced a bill entitled "An act to permit the board of trustees of the New York State Hospital for the Treatment of Incipient Pulmonary Tuberculosis at Ray Brook to grant for public school purposes in perpetuity one acre of land" (Int. No. 1594), which was read the first time and referred to the committee on ways and means.

Mr. Kennedy, from the committee on privileges and elections, presented the following report:

State of New York, in Assembly, in the Matter of the Contest of Maxim Birnkrant for the Office of Member of Assembly from the Tenth Assembly District, of New York County.

*To the Honorable Assembly of the State of New York:*

Your committee on privileges and elections, to whom was referred the above contest, submits the following report:

A notice of contest having been filed herein by Maxim Birnkrant to the election of Meyer Greenberg as member of Assembly from the Tenth Assembly District, county of New York, and the said contest having duly come on to be heard by the committee on privileges and elections, and the said contestant having appeared by William M. Chadbourne, as his attorney, and the notice of contest having been duly filed with the said committee, and hearings having been held at the Hotel Knickerbocker, Forty-second street and Broadway, borough of Manhattan, county and State of New York, pursuant to due notice to all persons interested, from day to day, as more fully appears in the testimony taken upon said proceedings and duly filed herewith and made a part hereof, and the committee having examined the original tally sheets from each election district in the said Tenth Assembly District, made with the county clerk of the county of New York, also the original Inspectors' returns so made and filed with the county clerk of the county of New York, together with the certified copies of all of said tally sheets and inspectors' returns filed with the board of elections of the city of New York, and county of New York, together with the original police returns filed with the commissioner of police of the city of New York, and the committee having examined and passed upon each and every ballot contained in the ballot boxes from all of the election districts comprising the said Tenth Assembly District, and filed with the board of elections of the city and county of New York, together with all of the ballots contained in the envelopes marked *Void and Protested Ballots* and filed with the clerk of the county of



New York, and the committee having taken testimony, all of which, together with various exhibits are filed herewith and made a part of this report, and having heard counsel for the respective parties herein, now, after due deliberation, finds the following facts:

*First.* That on the fifth day of November, 1912, there was held, in the said Tenth Assembly District of the borough of Manhattan, city, county and State of New York, at the general election, an election for member of the Assembly of the State of New York from the said Tenth Assembly District.

*Second.* That at said election the following-named candidates for said office of member of said Assembly on the respective tickets: Meyer Greenberg, Democrat; Herman Weiss, Republican; Meyer Greenberg, Independence League; Maxim Birnkrant, National Progressive; Edward Meyer, Socialist; Valentine Schutz, independent nomination; Frank Dostal, independent nomination.

*Third.* That, subsequent to the said election, and after the returns from the election districts had been made, the said returns were canvassed by the board of aldermen sitting as a board of county canvassers, pursuant to section 430 of the Election Law.

*Fourth.* That, subsequent to the finding of said board of county canvassers, there was issued to the said Meyer Greenberg a certificate of election as member of Assembly from the Tenth Assembly District, county of New York.

*Fifth.* That, on or about the thirtieth day of January, 1913, the said Maxim Birnkrant filed a notice of contest for the office of Member of Assembly from the Tenth Assembly District, county of New York, with the Assembly of the State of New York and the said notice of contest was thereupon duly referred to the committee on privileges and elections.

*Sixth.* That on or about the twentieth day of February, 1913, the said Meyer Greenberg, contestee herein, filed with the Speaker of the Assembly of the State of New York, his resignation as member of Assembly from the Tenth Assembly District, County of New York, which resignation was thereupon transmitted to the Secretary of State.

*Seventh.* That the said returns made by the various Boards of Inspectors in the said Tenth Assembly District credited the respective candidates with the following number of votes:

Meyer Greenberg .....	2,275
Maxim Birnkrant .....	2,247
Herman Weiss .....	772

Edward Meyer .....	530
Valentine Schultz .....	61
Joseph Lohse .....	2
J. Kraemer .....	1
Frank Dostal .....	1

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*Eighth.* That upon the said re-canvass and recount of the votes and ballots cast in said Assembly District at said election, including the void and protested ballots, this committee on privileges and elections has credited the respective candidates with the following votes:

Meyer Greenberg, Democrat .....	2,211
Maxim Birnkrant, National Progressive .....	2,262
Herman Weiss, Republican .....	770
Edward Meyer, Socialist .....	533
Valentine Schutz, independent nomination.....	66
Joseph Lohse, independent nomination.....	2
J. Kraemer, independent nomination .....	1
William McSauley, independent nomination.....	1
Frank Dostal, independent nomination.....	1

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*Ninth.* That the said Maxim Birnkrant received a total vote of of 2,262 votes, being more than the total number of votes received by any other candidate at said election for the office of Member of Assembly from the Tenth Assembly Distrist, county of New York, and received a plurality of 51 votes over and in excess of those received by the said Meyer Greenberg, who was the candi-date receiving the next highest number of votes.

The committee therefore recommends that Maxim Birnkrant is entitled to be seated as a member of the New York State Assem-bly from the Tenth Assembly District, county and State of New York, for the year of 1913.

All of which is respectfully submitted,  
Dated Albany, N. Y., March 10, 1913.

(Signed)      ALFRED J. KENNEDY,  
*Chairman.*

- JACOB SILVERSTEIN.
- DAVID CHESTER LEWIS.
- THOMAS F. DENNEY.
- JAMES GARVEY.
- JAMES H. FINNEGAN.
- ABRAHAM GREENBERG.
- ROBERT LEE TUDOR.
- HERBERT IRWIN ALLEN,
- SPENCER G. PRIME.
- SIMON LOUIS ADLER.

Mr. Cole, from the committee on agriculture, to which was referred Assembly bill (No. 1259, Int. No. 1175) introduced by Mr. Cole, entitled "An act to amend the Agricultural Law, in relation to the Commissioner of Agriculture," reported in favor of the passage of the same, with the following amendment:

Line 2, page 2, after the word "of" bracket out the word "five" and insert the words "Not to exceed six" in italics.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cole (No. 956, Int. No. 912), entitled "An act to amend the Agricultural Law, in relation to branding skim-milk cheese."

Also, the bill introduced by Mr. Cole (No. 1145, Int. No. 1072), entitled "An act to amend the Agricultural Law, in relation to the creation of a bureau of supervision of co-operative associations," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Cole (No. 958, Int. No. 914), entitled "An act to amend the Agricultural Law, in relation to adulterated milk," reported the same with the following recommendations:

On page 1, line 3, insert after the quotation marks following the word "laws" the following words: "as amended by chapter one hundred and eighty-six of the Laws of nineteen and nine, and chapter three hundred and forty-one of the Laws of nineteen hundred and ten, and chapters fifty-nine and six hundred and eight of the Laws of nineteen hundred and eleven,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,' in relation to the

compensation of commissioners of estimate and appraisal appointed in pursuance of said act." (No. 1511, Int. No. 1386.)

"An act to amend the Military Law, in relation to the signal corps." (No. 1518, Int. No. 708.)

"An act to amend the Labor Law, in relation to the clean, sanitary and safe condition of factory buildings." (No. 1706, Int. No. 510.)

"An act to amend the Labor Law, in relation to the protection of employees operating machinery, dust creating machinery, and the lighting of factories and workrooms." (No. 1705, Int. No. 973.)

"An act to amend the Agricultural Law, in relation to branding skim-milk cheese." (No. 956, Int. No. 912.)

"An act to amend the Code of Civil Procedure, in relation to injunctions." (No. 1681, Rec. No. 69.)

"An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to compensation of city officers." (No. 310, Int. No. 306.)

"An act to regulate and restrain the practice of midwifery in the city of Syracuse by others than legally authorized physicians." (No. 371, Int. No. 367.)

"An act to amend the Greater New York charter, with respect to the construction of tunnels and shafts and the erection, installation and operation of elevators and escalators connecting public streets and places." (No. 1485, Int. No. 1360.)

"An act to amend chapter three hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to provide a park board in and for the city of Utica,' relative to the powers of said board." (No. 664, Int. No. 638.)

"An act to permit the city of Mount Vernon to provide for the special lighting of the business district of said city, and to assess the cost thereof upon the abutting property." (No. 904, Int. No. 861.)

"An act to provide a recreation pier and casino on Buffalo park property for the people of the city of Buffalo." (No. 572, Int. No. 558.)

"An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail." (No. 883, Int. No. 841.)

"An act to amend chapter five hundred and forty-seven of the

Laws of eighteen hundred and ninety, entitled 'An act to make the office of the county clerk of Chautauqua county a salaried office, and regulating the management of said office,' generally." (No. 1677, Int. No. 480.)

"An act to amend the Conservation Law, in relation to hooking suckers through the ice." (No. 1676, Int. No. 849.)

"An act to amend the Agricultural Law, in relation to adulterated milk." (No. 1740, Int. No. 914.)

"An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to the police force, its members and officers and the powers of the common council in relation thereto." (No. 1733, Int. No. 305.)

"An act to amend the Greater New York charter, in relation to tax liens." (No. 1732, Int. No. 1309.)

"An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle, in relation to the board of public works of the city of New Rochelle.' " (No. 1730, Int. No. 851.)

"An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle." (No. 894, Int. No. 825.)

"An act to amend the Greater New York charter, in relation to assistant fire marshals." (No. 623, Int. No. 603.)

"An act to amend the Agricultural Law, in relation to the creation of a bureau of supervision of co-operative associations." (No. 1145, Int. No. 1072.)

"An act to amend the Civil Service Law, in relation to examinations for promotion in the police or fire department of a city." (No. 737, Int. No. 709.)

"An act to amend the Greater New York charter, in relation to the police pension fund." (No. 1223, Int. No. 1144.)

Mr. McMahon offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 1157, Int. No.

1084), entitled "An act to amend the Greater New York charter, in relation to making members of the aqueduct police of the board of water supply members of the police force of the city of New York."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. McMahon moved to amend as follows:

" 276-b. The members of the police force of the board of water supply of the city of New York upon the termination of their service on such force by reason of the completion of the work for which they were appointed by said board of water supply, shall be constituted members of the uniformed force of the police department of the city of New York. Provided, however, that no member of the said board of water supply police force shall be placed in a grade higher than that of patrolman in the said police force of the city of New York, but time served as a member of said board of water supply police force, shall be included and counted as service as patrolman in the police department of the city of New York, in determining salary and eligibility for advancement, promotion, retirement and pension as hereinafter provided.

" § 2. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. McMahon, said bill was ordered reprinted and recommitted to said committee.

The bill (No. 189, Int. No. 186) entitled "An act to provide for the erection of a suitable monument to commemorate the services of the Twenty-fifth New York Volunteer Cavalry in the battle of Fort Stevens, and making an appropriation therefor," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1034, Int. No. 982) entitled "An act to amend chapter five hundred and twenty of the Laws of nineteen hundred and twelve, entitled 'An act to provide for the alteration of the building known as the State house, for the use of the Court of Appeals, making an appropriation therefor, and reappropriating unexpended balances for perfecting plans for such alteration and reconstruction,' in relation to architect's compensation and modification of plans," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 923, Int. No. 880) entitled "An act in relation to the Cuba reservoir, and making an appropriation on account thereof," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Evans offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the Senate bill (No. 736, Rec. No. 76) entitled "An act to amend the Highway Law, generally."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced, on motion of Mr. Evans, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next, immediately after the reading of the journal.

The bill (No. 1112, Int. No. 326) entitled "An act to amend the Highway Law, generally," having been announced for a second reading,

On motion of Mr. Evans, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1477, Int. No. 906) entitled "An act to amend the Stock Corporation Law, in relation to the regulating and supervision of investment companies," having been announced,

Debate was had.

On motion of Mr. Goldberg, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1089, Int. No. 1034) entitled "An act to amend the Judiciary Law, in relation to the appointment of special deputy clerks in certain counties," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 133

NOES 3

Those who voted in the affirmative were:

Adler	Edwards	Ingram	McElligott	Smith J A
Allen	Eisner	Jackson	McGrath	Smith M
Baumes	Emden	Jones	McKee	Smith T K
Baxter	Esquirol	Jude	McKeon	Squire
Benninger	Evans	Kane	McMahon	Sufrin
Bovie	Fallon	Kelly J A	Monahan	Sullivan
Bradley	Farrell	Kelly J J	Norton	Sutphin
Brereton	Fitzgerald	Kelly J D	O'Brien	Sweet
Brewster	Fuller	Kelly P J	O'Connor	Tallett
Burden	Gage	Kenney	Oxford	Taylor F J
Burr	Gallup	Kennedy	Patrie	Taylor T D
Bush	Gathright	Kerrigan	Pembleton	Telford
Campbell	Geoghan	Kiernan	Prime	Tudor
Carroll	Geyer	Knott	Pullman	Ulrich
Carver	Gibbs	Kornobis	Richardson	Van Woert
Caughlan	Gillett	Lane	Robinson	Vert
Cole	Goldberg	Larrimer	Rozan	Walker
Cotillo	Grace	Levy	Schaap	Ward
Cronin	Greenberg A	Lewis	Schnirel	Webb
Cuvillier	Grimme	Macdonald	Schwartz	Weil
Daley	Gurnett	Machold	Seaker	Willard
Deitz	Hamilton	Madden	Seely J L	Willmott
Dennen	Hammer	Malone	Seelye G T	Wood
Denney	Hearn	Maloney	Shepardson	Yale
Dorst	Hopkins	McCollum	Silverstein	Yard
Doty	Hover	McCue	Small	Yeomans
Dox	Hughes	Mc		

Those who voted in the negative were:

Hinman	Horton	Knight
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 927, Int. No. 884) entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tal ett
Bush	Gathright	Kenney	O'Connor	Taylor F J
Butts	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCcllum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 376, Rec. No. 52) entitled "An act to legalize certain acts and proceedings of the town of Harrison, its officers, agents and taxpayers, in the county of Westchester, relating to the establishment of a sewer district for such town and to the sale and issuance of its bonds therefor, and the acts and proceedings of the village of Rye in said county and of the Conservation Commission in connection therewith, and to provide for the payment of such bonds," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Bush	Gathright	Kenney	O'Connor	Taylor F J
Butts	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1230, Int. No. 63) entitled "An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester," having been announced for a third reading,

On motion of Mr. Bovie, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 133, Int. No. 131) entitled "An act to amend the Transportation Corporations Law, in relation to telephone charges in cities of over one million," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 95

NOES 15

Those who voted in the affirmative were:

Benninger	Esquirol	Horton	Madden	Small
Bovie	Evans	Hover	Maloney	Sufrin
Brewster	Farrell	Hughes	McCue	Sullivan
Burden	Finnigan	Ingram	McDaniels	Sutphin
Burr	Fitzgerald	Jackson	McElligott	Sweet
Bush	Gallup	Kelly J A	McGrath	Taylor F J
Carroll	Garvey	Kelly J J	McKee	Taylor T D
Cole	Gathright	Kelly J D	McKeon	Telford
Cronin	Geoghan	Kelly P J	McMahon	Tudor
Cuvillier	Geyer	Kenney	Monahan	Ulrich
Daley	Gibbs	Kennedy	Oxford	Van Woert
Deitz	Goldberg	Kerrigan	Pullman	Vert
Dennen	Grace	Kiernan	Robinson	Volk
Denney	Greenberg A	Knight	Rozan	Walker
Donohue	Grimme	Kornobis	Schaap	Weil
Dorst	Gurnett	Lane	Schnirel	Willard
Dox	Hamilton	Larrimer	Schwarz	Willmott
Eisner	Hammer	Levy	Seely J L	Yale
Emden	Hearn	Lewis	Silverstein	Yard

Those who voted in the negative were:

Adler	Gage	Hopkins	Macdonald	Prime
Baumes	Gillett	Jones	Machold	Richardson
Bradley	Hinman	Knott	Norton	Wood

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 629, Int. No. 609) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," having been announced for a third reading,

On motion of Mr. O'Brien, said bill was laid aside and ordered stricken from the calendar.

The Senate bill (No. 373, Rec. No. 62) entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Bush	Gathright	Kenney	O'Connor	Taylor F J
Butts	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 895, Int. No. 853) entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty," having been announced for a third reading,

On motion of Mr. J. D. Kelly, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

By unanimous consent, Mr. J. D. Kelly offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of Senate bill (No. 274, Rec. No. 54), entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. J. D. Kelly, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. J. D. Kelly, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Bush	Gathright	Kenney	O'Connor	Taylor F J
Butts	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 901, Int. No. 214) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, ap-

propriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally," having been announced for a third reading,

On motion of Mr. J. D. Kelly, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1048, Int. No. 996) entitled "An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego," and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,' and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto," having been announced for a third reading,

On motion of Mr. Sweet, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1269, Int. No. 501) entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1455, Int. No. 377) entitled "An act to amend

the Second Class Cities Law, relative to designation of official papers," having been announced,

Mr. Schaap moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

On page 2, lines 8 and 9, strike out the word "opposite political faith" and insert in lieu thereof "different political faiths".

On page 2, line 14, strike out "opposite political faith" and insert in lieu thereof "different political faiths".

On page 2, line 15, strike out "opposite political faith" and insert in lieu thereof "different political faiths".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 131

NOES 3

Those who voted in the affirmative were:

Adler	Edwards	Hover	McCue	Smith J A
Allen	Eisner	Hughes	McDaniels	Smith M
Baumes	Emden	Ingram	McElligott	Smith T K
Baxter	Esquirol	Jackson	McGrath	Squire
Benninger	Evans	Jones	McKee	Sufrin
Bovie	Fallon	Kane	McKeon	Sullivan
Bradley	Farrell	Kelly J A	McMahon	Sutphin
Brereton	Fitzgerald	Kelly J J	Monahan	Sweet
Brewster	Fuller	Kelly J D	Norton	Tallett
Burden.	Gage	Kelly P J	O'Brien	Taylor F J
Burr	Gallup	Kenney	O'Connor	Taylor T D
Bush	Gathright	Kennedy	Oxford	Telford
Campbell	Geoghan	Kerrigan	Patrie	Tudor
Carroll	Geyer	Kiernan	Pembleton	Ulrich
Carver	Gibbs	Knight	Prime	Van Woert
Caughlan	Gillett	Knott	Pullman	Vert
Cole	Goldberg	Kornobis	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cronin	Greenberg A	Larrimer	Rozan	Webb
Cuvillier	Grimme	Levy	Schnirel	Weil
Daley	Gurnett	Lewis	Schwarz	Willard
Deitz	Hamilton	Macdonald	Seaker	Willmott
Dennen	Hammer	Machold	Seely J L	Wood
Denney	Hearn	Madden	Seelye G T	Yale
Dorst	Hinman	Malone	Shepardson	Yard

Doty	Hopkins	Maloney	Silverstein	Yeomans
Dox	Horton	McCollum	Small	

Those who voted in the negative were:

Jude	Schaap	Volk
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 400, Int. No. 397) entitled "An act to amend the Code of Civil Procedure, in relation to the ascertainment of the whereabouts or identity of a party to be served," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 1

Those who voted in the affirmative were:

Adler	Emden	Hughes	McCue	Small
Allen	Esquirol	Ingram	McDaniels	Smith J A
Baumes	Evans	Jackson	McElligott	Smith M
Baxter	Fallon	Jones	McGrath	Smith T K
Benninger	Farrell	Jude	McKee	Squire
Bovie	Fitzgerald	Kane	McKeon	Sufrin
Bradley	Fuller	Kelly J A	McMahon	Sullivan
Brereton	Gage	Kelly J J	Monahan	Sutphin
Brewster	Gallup	Kelly J D	Norton	Sweet
Burden	Gathright	Kelly P J	O'Brien	Tallett
Burr	Geoghan	Kenney	O'Connor	Taylor F J
Bush	Geyer	Kennedy	Oxford	Taylor T D
Campbell	Gibbs	Kerrigan	Patrie	Telford
Carroll	Gillen	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Daley	Gurnett	Levy	Schaap	Webb
Deitz	Hamilton	Lewis	Schnirel	Weil
Dennen	Hammer	Macdonald	Schwarz	Willard
Denney	Hearn	Machold	Seaker	Willmott
Dorst	Hinman	Madden	Seely J L	Wood
Doty	Hopkins	Malone	Seelye G T	Yale
Dox	Horton	Maloney	Shepardson	Yard
Edwards	Hover	McCollum	Silverstein	Yeomans
Eisner				

In the negative:

Cuvillier



Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1194, Int. No. 1115) entitled "An act to amend the General Business Law, in relation to the manufacture and sale of tires for motor vehicles," having been announced for a third reading,

On motion of Mr. Oxford, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The bill (No. 1525, Int. No. 294) entitled "An act to amend the Insurance Law, in relation to the contents of advertisements," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1473, Int. No. 1159) entitled "An act to authorize the board of estimate and apportionment of the city of New York to hear, audit and determine the alleged claim of Jacob Bausch for moneys expended by him in employing a telephone operator for the board of coroners of the borough of Manhattan, from January first, nineteen hundred and nine, to December twenty-ninth, nineteen hundred and nine," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1529, Int. No. 60) entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the Union bridge crossing the Hudson river between the counties of Saratoga and Rensselaer," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geyer	Kennedy	Oxford	Taylor T D
Campbell	Geoghan	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1530, Int. No. 59) entitled "An act making an appropriation for the payment of the State's share of the expense of acquiring the bridge of the Stillwater Bridge Company crossing the Hudson river between the counties of Saratoga and Rens-

selaer," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1187, Int. No. 1108) entitled "An act to amend the Town Law, in relation to the powers of supervisors and assessors in certain towns to employ clerks," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 380, Int. No. 376) entitled "An act to amend the Education Law, in relation to the establishment, management and objects of a State school of agriculture at Cook Academy, at Montour Falls, in the county of Schuyler, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Emden offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Senate bill (No. 633, Rec. No. 64), entitled "An act to amend the Benevolent Orders Law, in relation to the National Order of the Daughters of Isabella."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Emden, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Emden, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeoman's
Edwards				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 800, Int. No. 765) entitled "An act to amend the Benevolent Orders Law, in relation to the National Order of the Daughters of Isabella," having been announced for a third reading,

On motion of Mr. Emden, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 723, Int. No. 695) entitled "An act making provision for issuing bonds to the amount of not to exceed forty million dollars for the improvement of the canal system of the State by the extension of the Black River canal, the reconstruction of

the Chemung canal, the conversion of the Glens Falls feeder into a canal, the construction of a canal between Flushing river and Jamaica bay, and for the purchase of lands required for said improvements, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and thirteen," having been announced for a third reading,

On motion of Mr. Jones, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1155, Int. No. 1082) entitled "An act to amend the Greater New York charter, in relation to the powers of the commissioners of the sinking fund," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Tudor
Carroll	Gibbs	Kiernan	Pembleton	Telford
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott



Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1418, Int. No. 403) entitled "An act to amend chapter fourteen of the Laws of nineteen hundred and nine, entitled 'An act relating to civil rights, constituting chapter six of the Consolidated Laws,' " was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Whereas, The State of New York is the Empire State of the Union, the largest in population, and has more commercial business, both import and export, than half the States of the United States; and millions of dollars are paid into the United States treasury through the custom ports of the State of New York.

Whereas, By executive order issued by former President Taft many custom ports of entry in various localities in the State of New York have been abolished, thereby causing the citizens, merchants and manufacturers of the State of New York greater expense, inconvenience and loss of time, which will tend to drive out of the State of New York capital for business enterprises into other States.

Resolved (if the Senate concur), That it is the sense of the Legislature that the custom ports in the State of New York be re-established as existing before the executive order issued by former President Taft abolishing said custom ports of entry; and that the Representatives in Congress from the State of New York use their best offices in this direction; and that a copy of this resolution be sent to the President of the United States, the Secretary of the Treasury and each Representative in Congress from the State of New York.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Hearn offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the mayor of the city of Buffalo, requesting that he return to the Assembly a certified copy of Assembly bill (No. 1076, Int. No. 1021), entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health," for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Bush offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 302, Int. No. 298), entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. O'Brien offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 892, Int. No. 850), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March 10, 1913.*

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of the Senate bill (No. 849, Rec. No. 77), entitled "An act to amend chapter three hundred and twenty-one of the Laws of eighteen hundred and ninety-eight, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof,' in relation to the salary of the sheriff, appointment and compensation of the sheriff's assistants and the care and maintenance of jails and prisoners," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,

*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March* 10, 1913.

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of the city of New York, requesting the return of the Senate bill (No. 645, Rec. No. 57), entitled "An act to amend the Greater New York charter, in relation to the rehearing of charges against, and reinstatement of persons dismissed," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March* 10, 1913.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of the Senate bill (No. 600, Rec. No. 67), entitled "An act in relation to the holding of town meetings and elections in the county of Broome," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *February* 28, 1913.

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill (No. 362, Int. No. 358), entitled "An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters."

WILLIAM SULZER.

Said bill having been announced, Mr. Greenberg moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker
Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seeley G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Mr. Greenberg moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith amended as follows:

Strike out the period at end of line 9 and insert “, except that every person retained or employed for compensation as counsel or agent by any person, firm, corporation or association to promote or oppose directly or indirectly the passage of bills or resolutions by either house or to promote or oppose executive approval of such bills or resolutions, relating to such legislative measure or measures, shall in each and every year, before any service is entered upon in promoting or opposing such legislation, file in the office of the Secretary of State a writing subscribed by such counsel or agent stating the name or names of the person or persons, firm or firms, corporation or corporations, association or associations, by whom or on whose behalf he is retained or employed, together with a brief description of the legislation in reference to which such service is to be rendered.”

“§ 2. This act shall take effect immediately.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McElligott, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the concurrent resolution recalling from the mayor of the city of Buffalo, for the purpose of amendment, the certified copy of Assembly bill (No. 1076, Int. No. 1021), entitled “An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health,” with the message that they have concurred in the passage of the same.

Ordered, That the Clerk transmit said resolution to the mayor of the city of Buffalo.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 302, Int. No. 298), entitled “An act to amend the Public Health Law, in relation to cadavers for medical and surgical study,” with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the mayor of the city of Buffalo was received and read, in the words following:

STATE OF NEW YORK — MAYOR'S OFFICE,  
CITY OF BUFFALO, *March 10, 1913.*

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, a certified copy of Assembly bill (No. 1076, Int. No. 1021), entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health."

L. P. FUHRMANN,  
*Mayor of the City of Buffalo.*

Said bill having been announced, Mr. Hearn moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 136

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hughes	McCue	Small
Allen	Emden	Ingram	McDaniels	Smith J A
Baumes	Esquirol	Jackson	McElligott	Smith M
Baxter	Evans	Jones	McGrath	Smith T K
Benninger	Fallon	Jude	McKee	Squire
Bovie	Farrell	Kane	McKeon	Sufrin
Bradley	Fitzgerald	Kelly J A	McMahon	Sullivan
Brereton	Fuller	Kelly J J	Monahan	Sutphin
Brewster	Gage	Kelly J D	Norton	Sweet
Burden	Gallup	Kelly P J	O'Brien	Tallett
Burr	Gathright	Kenney	O'Connor	Taylor F J
Bush	Geoghan	Kennedy	Oxford	Taylor T D
Campbell	Geyer	Kerrigan	Patrie	Telford
Carroll	Gibbs	Kiernan	Pembleton	Tudor
Carver	Gillett	Knight	Prime	Ulrich
Caughlan	Goldberg	Knott	Pullman	Van Woert
Cole	Grace	Kornobis	Richardson	Vert
Cotillo	Greenberg A	Lane	Robinson	Walker

Cronin	Grimme	Larrimer	Rozan	Ward
Cuvillier	Gurnett	Levy	Schaap	Webb
Daley	Hamilton	Lewis	Schnirel	Weil
Deitz	Hammer	Macdonald	Schwarz	Willard
Dennen	Hearn	Machold	Seaker	Willmott
Denney	Hinman	Madden	Seely J L	Wood
Dorst	Hopkins	Malone	Seelye G T	Yale
Doty	Horton	Maloney	Shepardson	Yard
Dox	Hover	McCollum	Silverstein	Yeomans
Edwards				

Mr. Hearn moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 3, line 9, after the word "purpose" insert letter "S".

Page 3, line 10, after the word "the" before the word "secretary" insert "premium on said bond, if any. Moneys shall be paid to said".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

On motion of Mr. Levy, the House adjourned.

## TUESDAY, MARCH 11, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Olin B. Coit, Lawrence, L. I.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Kornobis introduced a bill entitled "An act to amend the General Corporation Law, in regard to receiver's title to property and general powers of receivers" (Int. No. 1595), which was read the first time and referred to the committee on the judiciary.

Mr. Lewis introduced a bill entitled "An act to amend the Poor Law, in relation to the relief of soldiers, sailors and their families" (Int. No. 1596), which was read the first time and referred to the committee on general laws.



Also, "An act to amend the Lien Law, in relation to liens of laundrymen" (Int. No. 1597), which was read the first time and referred to the committee on general laws.

Mr. Maloney introduced a bill entitled "An act to amend the Town Law, in relation to water supply districts in towns" (Int. No. 1598), which was read the first time and referred to the committee on internal affairs.

Mr. McKee introduced a bill entitled "An act to amend the Education Law, relative to free text-books and other school supplies" (Int. No. 1599), which was read the first time and referred to the committee on public education.

Also, "An act to provide for the maintenance and government of a school for the education and training of pupils from the various counties of this State in the science and practice of navigation, seamanship, steam and electrical engineering" (Int. No. 1600), which was read the first time and referred to the committee on ways and means.

Also, "An act to provide for the protection of baskets, hampers, boxes, bags, or other articles used by merchants, marketmen, manufacturers, or laundrymen in connection with collection and delivery of the articles dealt in or laundry work done by them" (Int. No. 1601), which was read the first time and referred to the committee on general laws.

Mr. Sullivan introduced a bill entitled "An act to provide for the acquisition by the State of certain land in the village of Fredonia for normal school purposes, and making an appropriation therefor" (Int. No. 1602), which was read the first time and referred to the committee on ways and means.

Mr. Tudor introduced a bill entitled "An act to amend the Labor Law, in relation to physical examination of employees" (Int. No. 1603), which was read the first time and referred to the committee on labor and industries.

Mr. Deitz introduced a bill entitled "An act authorizing the board of estimate and apportionment of the city of New York in its discretion to determine, audit and allow the claim of Charles A. Phillips for services rendered as physician and surgeon to the

Kings county jail" (Int. No. 1604), which was read the first time and referred to the committee on affairs of cities.

Mr. Madden introduced a bill entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,' in relation to the assessment and collection of taxes of said city" (Int. No. 1605), which was read the first time and referred to the committee on affairs of cities.

Mr. Monohan introduced a bill entitled "An act authorizing the board of education of the city of New York to utilize for school purposes an abandoned burying ground in the borough of Brooklyn, upon removing the bodies interred therein, and providing for the determination and payment of claims of any person claiming to have title to such premises" (Int. No. 1606), which was read the first time and referred to the committee on affairs of cities.

Mr. Deitz introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to special provisions regulating actions relating to property" (Int. No. 1607), which was read the first time and referred to the committee on codes.

Also, "An act to repeal certain sections of the Code of Civil Procedure relating to redemption by lessees, creditors and mortgagees" (Int. No. 1608), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Code of Civil Procedure, in relation to summary proceedings to recover possession of real property" (Int. No. 1609), which was read the first time and referred to the committee on codes.

Also, "An act to amend chapter four of the Laws of eighteen hundred and ninety-one, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants,' relative to easements acquired or reserved for the construction of rapid transit railroads" (Int. No. 1610), which was read the first time and referred to the committee on affairs of cities.

Mr. Volk, by request, introduced a bill entitled "An act to amend chapter twenty-two of the Laws of nineteen hundred and

nine, constituting chapter seventeen of the Consolidated Laws, known as the Election Law, generally" (Int. No. 1611), which was read the first time and referred to the committee on the judiciary.

Mr. Robinson introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to the powers of gas companies" (Int. No. 1612), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Evans (No. 189, Int. No. 186), entitled "An act to provide for the erection of a suitable monument to commemorate the services of the Twenty-fifth New York Volunteer Cavalry in the battle of Fort Stevens, and making an appropriation therefor."

Also, the bill introduced by Mr. Bush (No. 1034, Int. No. 982), entitled "An act to amend chapter five hundred and twenty of the Laws of nineteen hundred and twelve, entitled 'An act to provide for the alteration of the building known as the State house, for the use of the Court of Appeals, making an appropriation therefor, and reappropriating unexpended balances for perfecting plans for such alteration and reconstruction,' in relation to architect's compensation and modification of plans."

Also, the bill introduced by Mr. Bush (No. 923, Int. No. 80), entitled "An act in relation to the Cuba reservoir, and making an appropriation on account thereof," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McGrath (No. 1682, Int. No. 578), entitled "An act to amend the Penal Law, in relation to the destruction of glandered, injured or diseased horses," reported the same with the following recommendation:

In second line of title, strike out "horses" and insert "animals."

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the charter of the city of Elmira,' generally." (No. 1735, Int. No. 1118.)

The bill (No. 1480, Int. No. 1268) entitled "An act to amend the Labor Law, in relation to the organization of the Department of Labor and its various bureaus, the creation of an industrial board, and the extension of the department's jurisdiction over mercantile establishments in cities of the second class," having been announced,

Mr. Jackson moved to amend as follows:

Page 15, line 15, after the word "shall" insert the following: "be attached to the division of industrial hygiene and".

Page 15, line 16, after the word "investigators" insert "in such division."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The Senate bill (No. 814, Assembly Reprint No. 1681, Rec. No. 69) entitled "An act to amend the Code of Civil Procedure, in relation to injunctions," was read the second time.

On motion of Mr. Pollock, said bill was placed on the order of third reading.

The bill (No. 1682, Int. No. 578) entitled "An act to amend the Penal Law, in relation to the destruction of glandered, injured or diseased horses," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 124, Int. No. 124) entitled "An act to amend the Railroad Law, in relation to the fare chargeable on certain railroads operating between Flatbush avenue and Manhattan crossing in Kings county," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 3

Those who voted in the affirmative were:

Allen	Eisner	Hover	McElligott	Smith J A
Baumes	Emden	Hughes	McGrath	Smith M
Baxter	Esquirol	Ingram	McKee	Smith T K
Benninger	Evans	Jackson	McMahon	Squire
Bovie	Fallon	Jones	Monahan	Sufrin
Bradley	Farrell	Jude	Norton	Sullivan
Brereton	Finnigan	Kelly J A	O'Brien	Sutphin
Brewster	Fitzgerald	Kelly J J	O'Connor	Sweet
Bryant	Gage	Kelly J D	Oxford	Tallett
Burden	Gallup	Kelly P J	Pappert	Taylor F J
Burr	Garvey	Kenney	Patrie	Telford
Bush	Gathright	Kennedy	Pembleton	Tudor
Campbell	Geoghan	Kerrigan	Phillips	Ulrich
Carroll	Geyer	Kiernan	Prime	Van Woert
Carver	Gibbs	Knott	Pullman	Vert
Caughlan	Gillett	Lane	Richardson	Volk
Cole	Goldberg	Larrimer	Robinson	Walker
Cotillo	Grace	Levy	Rozan	Ward
Cuvillier	Greenberg A	Lewis	Schifferdecker	Webb
Daley	Grimme	Macdonald	Schnirel	Weil
Deitz	Gurnett	Madden	Schwarz	Willard
Dennen	Hamilton	Malone	Seaker	Willmott
Denney	Hammer	Maloney	Seely J L	Wood
Donohue	Hearn	McCollum	Shepardson	Yale
Dorst	Heyman	McCue	Silverstein	Yard
Doty	Hopkins	McDaniels	Small	Yeomans
Dox	Horton			

Those who voted in the negative were:

Adler	Hinman	Knight
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1015, Int. No. 969) entitled "An act to amend the Labor Law, in relation to protecting the lives, health and safety of employees in dangerous trades," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1586, Int. No. 1119) entitled "An act to amend chapter one hundred and forty-two of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Corning,' in relation to apparatus and buildings for fire prevention," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1476, Int. No. 496) entitled "An act to amend the Civil Service Law, in relation to vacations and leaves of absence for employees," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K

Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1288, Int. No. 1189) entitled "An act to amend the Education Law, in relation to free text-books," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor



Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg M	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deits	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst.	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1526, Int. No. 45) entitled "An act to amend chapter four hundred and eighty-one of the Laws of nineteen hundred and ten, being chapter forty-nine of the Consolidated Laws, known as the Railroad Law, by adding a section thereto prescribing the minimum number of employees to be employed in the operation of certain trains," having been announced,

Mr. Hinman moved to amend as follows:

Page 2, between lines 19 and 20, insert two new sections in italics, to be known as sections 54-b and 64-c, as follows:

" § 54-b. Power of Public Service Commission to exempt certain railroads. The Public Service Commission in the second district is hereby empowered upon petition by a railroad company, upon notice, after hearing, by order in writing to exempt, for such period as such Public Service Commission shall determine, any railroad from compliance, so far as any particular train is concerned, with the provisions embodied in the foregoing section relating to the size of train crew to be carried, where in the judgment of said Public Service Commission, based upon competent evidence, such exemption is warranted by reason of the operating conditions of said petitioning railroad, provided always that the safety of traffic and travel, in the judgment of said Public Service Commission, is not jeopardized by such exemption.

" § 54-c. Power of Public Service Commission to conduct hearings and recommend statutory changes. The Public Service Commission in the second district is hereby directed to conduct a public hearing or hearings at which representatives of all parties in interest may be heard in the matter of such train crews or engine crews; and upon the evidence so obtained to recommend

such changes, if any, in the statutory provisions fixing the size of train crews or engine crews, as in the judgment of said Public Service Commission conducting the hearing shall be necessary or proper."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Debate was had.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 2

Those who voted in the affirmative were:

Adler	Dox	Horton	McElligott	Smith J A
Allen	Eisner	Hover	McGrath	Smith M
Baumes	Emden	Hughes	McKee	Smith T K
Baxter	Esquirol	Ingram	McMahon	Squire
Benninger	Evans	Jackson	Monahan	Sufrin
Bovie	Fallon	Jones	Norton	Sullivan
Bradley	Farrell	Jude	O'Brien	Sutphin
Brereton	Finnigan	Kelly J A	O'Connor	Sweet
Brewster	Fitzgerald	Kelly J J	Oxford	Tallett
Bryant	Gage	Kelly J D	Pappert	Taylor F J
Burden	Gallup	Kelly P J	Patrie	Telford
Burr	Garvey	Kenney	Pembleton	Tudor
Bush	Gathright	Kennedy	Phillips	Ulrich
Campbell	Geoghan	Kerrigan	Prime	Van Woert
Carroll	Geyer	Kiernan	Pullman	Vert
Carver	Gibbs	Knott	Richardson	Volk
Caughlan	Gillett	Lane	Robinson	Walker
Cole	Goldberg	Larrimer	Rozan	Ward
Cotillo	Grace	Levy	Schifferdecker	Webb
Cuvillier	Greenberg A	Lewis	Schnirel	Weil
Daley	Grimme	Macdonald	Schwarz	Willard
Deitz	Gurnett	Madden	Seaker	Willmott
Dennen	Hamilton	Malone	Seely J L	Wood
Denney	Hammer	Maloney	Shepardson	Yale
Donohue	Hearn	McCollum	Silverstein	Yard
Dorst	Heyman	McCue	Small	Yeomans
Doty	Hopkins	McDaniels		

Those who voted in the negative were:

Hinman Knight

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1594, Int. No. 517) entitled "An act to amend the Labor Law, in relation to automatic sprinklers," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1593, Int. No. 515) entitled "An act to amend the Labor Law, in relation to fire alarm signal systems and fire drills," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Mon han	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macholend	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1596, Int. No. 976) entitled "An act to amend the Labor Law, in relation to washrooms, dressing rooms and water closets in factories," having been announced,

Mr. Jackson moved that said bill be recommitted to the committee on labor and industries, with instructions to report the same forthwith amended as follows:

Page 2, line 17, insert the word "heated," after the word lighted".

Page 4, line 1, insert the word "heated," after the word "constructed".

Page 4, line 9, after the word "sex" insert the following: "in such number and".

Page 4, line 11, strike out the comma after the word "board" and insert in place thereof a period.

Page 4, line 11, strike out everything on that line beginning with the word "and".

Page 4, line 12, strike out entire line.

Page 4, line 13, strike out everything up to and including the period.

Page 4, line 22, after the word "plastered" insert the words "or metal covered".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Patrie, from the committee on labor and industries, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1597, Int. No. 980) entitled "An act to amend the Penal Law, in relation to violation of provisions of the Labor Law, the industrial code, the rules and regulations of the industrial board of the Department of Labor and the orders of the Commissioner of Labor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert

Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1598, Int. No. 993) entitled "An act to amend the Labor Law, in relation to elevators and hoisting shafts in factory buildings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1479, Int. No. 519) entitled "An act to amend the Labor Law, in relation to cleanliness of washrooms in factories," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deits	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1472, Int. No. 516) entitled "An act to amend the Labor Law, in relation to seats in factories and other establishments for female employees," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor T D
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rosan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deits	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1044, Int. No. 992) entitled "An act to amend the Labor Law, in relation to the physical examination of children employed in factories and cancellation of their employment certificates because of physical unfitness," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rosan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwartz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 795, Int. No. 760) entitled "An act to build and equip a range of glass houses for teaching floriculture and vegetable culture at the New York State College of Agriculture at Cornell University, making an appropriation therefor, and providing for the appointment of an advisory committee," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rosan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deits	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwartz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1392, Int. No. 1282) entitled "An act to establish the New York commercial tercentenary commission, and to prescribe the powers and duties thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K

Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufran
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rosan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deits	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 276, Int. No. 272) entitled "An act to amend section fifteen hundred and sixty-nine of the Code of Civil Procedure, in relation to the payment of a gross sum in lieu of dower," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Thise who voted in the affirmative were :

Adler	Dox	Hopkins	McCollum	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufran
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford

Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCue	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1156, Int. No. 1083) entitled "An act to amend chapter sixty-eight of the Laws of eighteen hundred and sixty, entitled 'An act to consolidate and amend the several acts relating to the village of Catskill,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCollum	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward

Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	SchifferdecIr	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCue	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 88, Int. No. 88) entitled "An act to amend the Stock Corporation Law, in relation to the certificate of increase or reduction of capital stock of a banking or insurance corporation," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCollum	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCue	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 100, Int. No. 100) entitled "An act to amend the Penal Law, in relation to the issuance or circulation of false literature by insurance corporations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1417, Int. No. 281) entitled "An act to authorize the village of Peekskill in Westchester county, to widen Washington street in said village between Hudson avenue and South street,

to acquire title to the land necessary for such widening, and to issue bonds for said purpose," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deits	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and, as amended, have again passed the same and request the concurrence of the Senate therein.

The Senate bill (No. 815, Assembly Reprint No. 1516, Rec. No. 68) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers and jurisdiction and providing for its officers,' in relation to attach-

ment of property and compensation of marshals," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Wilhard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same without amendments.

The bill (No. 676, Int. No. 650) entitled "An act to amend the Code of Civil Procedure, in relation to service of summons without the State," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the



affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geyer	Kennedy	Pembleton	Ulrich
Carroll	Geoghan	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1194, Int. No. 1115) entitled "An act to amend the General Business Law, in relation to the manufacture and sale of tires for motor vehicles," having been announced,

Debate was had.

Mr. Hinman moved to recommit said bill to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Debate was had.

Mr. Patrie moved to recommit said bill to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 132

NOES 3

Those who voted in the affirmative were:

Allen	Eisner	Hover	McDaniels	Small
Baumes	Emden	Hughes	McElligott	Smith J A
Baxter	Esquirol	Ingram	McGrath	Smith M
Benninger	Evans	Jackson	McKee	Smith T K
Bovie	Fallon	Jones	McMahon	Squire
Bradley	Farrell	Jude	Monahan	Sufrin
Brereton	Finnigan	Kelly J A	Norton	Sullivan
Brewster	Fitzgerald	Kelly J J	O'Brien	Sutphin
Bryant	Gage	Kelly J D	O'Connor	Sweet
Burden	Gallup	Kelly P J	Oxford	Taylor F J
Burr	Garvey	Kenney	Pappert	Telford
Bush	Gathright	Kennedy	Patrie	Tudor
Campbell	Geyer	Kerrigan	Pembleton	Ulrich
Carroll	Geoghan	Kiernan	Phillips	Van Woert
Carver	Gibbs	Knight	Prime	Vert
Caughlan	Gillett	Knott	Pullman	Volk
Cole	Goldberg	Lane	Richardson	Walker
Cotillo	Grace	Larrimer	Robinson	Ward
Cuvillier	Greenberg A	Levy	Rozan	Webb
Daley	Grimme	Lewis	Schifferdecker	Weil
Deitz	Gurnett	Macdonald	Schnirel	Willard
Dennen	Hamilton	Madden	Schwarz	Willmott
Denney	Hammer	Malone	Seaker	Wood
Donohue	Hearn	Maloney	Seely J L	Yale
Dorst	Heyman	McCollum	Shepardson	Yard
Doty	Hopkins	McCue	Silverstein	Yeomans
Dox	Horton			

Those who voted in the negative were:

Adler	Hinman	Tallett
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Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1048, Int. No. 996) entitled "An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and

Oswego," and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,' and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto," having been announced,

Mr. Sweet moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 3, line 11, by striking out the word "one" and inserting in place thereof the word "two", and on line 13, page 3, by striking out the word "one" and inserting in the place thereof the word "two".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Evans, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 664, Int. No. 638) entitled "An act to amend chapter three hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to provide a park board in and for the city of Utica,' relative to the powers of said board," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 904, Int. No. 861) entitled "An act to permit the city of Mount Vernon to provide for the special lighting of the business district of said city, and to assess the cost thereof upon the abutting property," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K

Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	SchifferdecIr	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 471, Int. No. 466) entitled "An act to amend the Greater New York charter, in relation to vacations for employees," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford

Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1521, Int. No. 583) entitled "An act to amend the Lien Law, in relation to liens of bailees for hire upon personal property," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 1

Those who voted in the affirmative were:

Adler	Eisner	Horton	McDaniels	Smith J A
Allen	Emden	Hover	McElligott	Smith M
Baumes	Esquirol	Hughes	McGrath	Smith T K
Baxter	Evans	Ingram	McKee	Squire
Benninger	Fallon	Jackson	McMahon	Sufrin
Bovie	Farrell	Jones	Monahan	Sullivan
Bradley	Finnigan	Jude	Norton	Sutphin
Brereton	Fitzgerald	Kelly J A	O'Brien	Sweet
Brewster	Gage	Kelly J J	O'Connor	Tallett
Bryant	Gallup	Kelly J D	Oxford	Taylor F J
Burden	Garvey	Kelly P J	Pappert	Telford
Burr	Gathright	Kenney	Patrie	Tudor
Bush	Geoghan	Kennedy	Pembleton	Ulrich
Campbell	Geyer	Kerrigan	Phillips	Van Woert
Carroll	Gibbs	Kiernan	Prime	Vert
Carver	Gillett	Knight	Pullman	Volk
Caughlan	Goldberg	Knott	Richardson	Walker
Cole	Grace	Lane	Robinson	Ward
Cotillo	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	SchifferdecIr	Weil
Deits	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott

Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans
Dox	Hopkins	McCue	Small	

In the negative:

Cuvillier

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1517, Int. No. 467) entitled "An act to amend the Greater New York charter, in relation to commissioners of deeds," having been announced for a third reading,

On motion of Mr. Burr, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

The bill (No. 731, Int. No. 703) entitled "An act to repeal section thirteen of the Decedent Estate Law, in relation to devises of real property to aliens," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward

Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1275, Int. No. 704) entitled "An act to amend the Real Property Law, in relation to tenure of real property by aliens," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.



The bill (No. 894, Int. No. 825) entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle," having been announced for a third reading,

On motion of Mr. Bovie, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The bill (No. 1145, Int. No. 1072) entitled "An act to amend the Agricultural Law, in relation to the creation of a bureau of supervision of co-operative associations," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiern n	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott

Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 737, Int. No. 709) entitled "An act to amend the Civil Service Law, in relation to examinations for promotion in the police or fire department of a city," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1518, Int. No. 708) entitled "An act to amend the Military Law, in relation to the signal corps," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1379, Int. No. 593) entitled "An act to amend the Greater New York charter, in relation to plans for water fronts," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1956, Int. No. 912) entitled "An act to amend the Agricultural Law, in relation to branding skim-milk cheese," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 310, Int. No. 306) entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis,' in relation to compensation of city officers," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M

Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Bu den	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1676, Int. No. 849) entitled "An act to amend the Conservation Law, in relation to hooking suckers through the ice," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich

Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knot	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

By unanimous consent, Mr. Grimme offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of Senate bill (No. 511, Rec. No. 50), entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' generally."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Grimme, and by unanimous consent, said bill was read the second time, and ordered to a third reading.

On motion of Mr. Grimme, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K

Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1107, Int. No. 110) entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an intestate park, and thereby to preserve the scenery of the Palisades,' generally," having been announced for a third reading,

On motion of Mr. Grimme, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1252, Int. No. 1168) entitled "An act to amend the Labor Law, in relation to fines imposed by employers upon workmen," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.



AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1223, Int. No. 1144) entitled "An act to amend the Greater New York charter, in relation to the police pension fund," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire

Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1485, Int. No. 1360) entitled "An act to amend the Greater New York charter, with respect to the construction of tunnels and shafts and the erection, installation and operation of elevators and escalators connecting public streets and places," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford

Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 883, Int. No. 841) entitled "An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail," having been aennounced for a third reading,

On motion of Mr. Hamilton, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 623, Int. No. 603) entitled "An act to amend the Greater New York Charter, in relation to assistant fire marshals," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor

Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1677, Int. No. 480) entitled "An act to amend chapter five hundred and forty-seven of the Laws of eighteen hundred and ninety, entitled 'An act to make the office of county clerk of Chautauqua county a salaried office, and regulating the management of said office,' generally," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward

Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 572, Int. No. 558) entitled "An act to provide a recreation pier and casino on Buffalo park property for the people of the city of Buffalo," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 371, Int. No. 367) entitled "An act to regulate and restrain the practice of midwifery in the city of Syracuse by others than legally authorized physicians," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 2

Those who voted in the affirmative were:

Adler	Eisner	Hover	McElligott	Smith J A
Allen	Emden	Hughes	McGrath	Smith M
Baumes	Esquirol	Ingram	McKee	Smith T K
Baxter	Evans	Jackson	McMahon	Squire
Benninger	Fallon	Jones	Monahan	Sufrin
Bovie	Farrell	Jude	Norton	Sullivan
Bradley	Finnigan	Kelly J A	O'Brien	Sutphin
Brereton	Fitzgerald	Kelly J J	O'Connor	Sweet
Brewster	Gage	Kelly J D	Oxford	Tallett
Bryant	Gallup	Kelly P J	Pappert	Taylor F J
Burden	Garvey	Kenney	Patrie	Telford
Burr	Gathright	Kennedy	Pembleton	Tudor
Campbell	Geoghan	Kerrigan	Phillips	Ulrich
Carroll	Geyer	Kiernan	Prime	Van Woert
Carver	Gibbs	Knight	Pullman	Vert
Caughlan	Gillett	Knott	Richardson	Volk
Cole	Goldberg	Lane	Robinson	Walker
Cotillo	Grace	Larrimer	Rozan	Ward
Cuvillier	Greenberg A	Levy	Schifferdecker	Webb
Daley	Grimme	Lewis	Schnirel	Weil
Deitz	Gurnett	Macdonald	Schwarz	Willard
Dennen	Hammer	Madden	Seaker	Willmott
Denney	Hearn	Malone	Seely J L	Wood
Donohue	Heyman	Maloney	Shepardson	Yale
Dorst	Hinman	McCollum	Silverstein	Yard
Doty	Hopkins	McCue	Small	Yeomans
Dox	Horton	McDaniels		

Those who voted in the negative were:

Bush                      Hamilton

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1215, Int. No. 1136) entitled "An act to amend the Public Health Law, in relation to violations of the provisions relating to pharmacy," was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1511, Int. No. 1386) entitled "An act to amend chapter three hundred and thirty-six of the Laws of nineteen hundred and three, entitled 'An act to provide for the erection of a court house in the county of New York, and authorizing the acquisition of a site therefor,' in relation to the compensation of commissioners of estimate and appraisal appointed in pursuance of said act," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *March 10, 1913.*

*To the Assembly:*

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment, Assembly bill (No. 302, Int. No. 298), entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study."

WILLIAM SULZER.



Said bill having been announced, Mr. Bush moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepards n	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Mr. Bush moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith, amended as follows:

Page 2, line 2, after the word "relatives" bracket out the words "or friends".

Page 2, line 3, strike out the word "college" and insert in place thereof the word "colleges".

Page 2, line 3, after the word "colleges" insert in italics the following words: "and universities".

Page 2, line 6, after the word "surgery" insert in italics the following: "to those on whom the degree of Doctor of Medicine has been conferred".

Page 2, line 7, after the word "or" insert "medical".

Page 2, line 8, place bracket after the word "instruction", strike out the word "Shall", line 9, and the words "anatomical or surgical science and" and place a bracket at the end of line 10.

Page 2, line 12, after word "relatives" bracket out the words "or friends".

Page 2, line 13, after the word "relatives" bracket out the words "or friends".

Page 2, line 14, after the word "relatives" bracket out the words "or friends".

Page 2, line 18, after the word "relative" bracket out the words "or friends".

Page 2, line 18, after the word "relative" place bracket before the word "or".

Page 2, line 19, place bracket after the word "friend".

Page 2, line 23, after the word "relative" bracket out the words "or friends".

Page 2, line 25, bracket out the words "or friends".

Page 3, line 19, place a bracket after the word "corpses"; strike out the bracket after "county".

Line 20, insert in italics after the bracket the following words: "under the provisions of this act".

Page 3, line 22, after the word "university" insert in italics the following: "of anatomy and surgery at the time of making the apportionment".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McDaniels, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Kennedy offered for the consideration of the House a resolution, in the words following:

Resolved, That the Hon. Maxim Birnkrant was duly elected and entitled to hold the seat in the Assembly, State of New York, as a representative of the Tenth Assembly District, borough of Manhattan, city and county of New York, from the first day of January, 1913, to the first day of January, 1914.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin
Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Heoghan	Kennedy	Pembleton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. O'Connor offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That two thousand extra copies of the report of the State Veterinary College at Cornell University be printed for the use of the Senate and Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

AYES 135

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Hopkins	McCue	Small
Allen	Eisner	Horton	McDaniels	Smith J A
Baumes	Emden	Hover	McElligott	Smith M
Baxter	Esquirol	Hughes	McGrath	Smith T K
Benninger	Evans	Ingram	McKee	Squire
Bovie	Fallon	Jackson	McMahon	Sufrin

Bradley	Farrell	Jones	Monahan	Sullivan
Brereton	Finnigan	Jude	Norton	Sutphin
Brewster	Fitzgerald	Kelly J A	O'Brien	Sweet
Bryant	Gage	Kelly J J	O'Connor	Tallett
Burden	Gallup	Kelly J D	Oxford	Taylor F J
Burr	Garvey	Kelly P J	Pappert	Telford
Bush	Gathright	Kenney	Patrie	Tudor
Campbell	Geoghan	Kennedy	Pemberton	Ulrich
Carroll	Geyer	Kerrigan	Phillips	Van Woert
Carver	Gibbs	Kiernan	Prime	Vert
Caughlan	Gillett	Knight	Pullman	Volk
Cole	Goldberg	Knott	Richardson	Walker
Cotillo	Grace	Lane	Robinson	Ward
Cuvillier	Greenberg A	Larrimer	Rozan	Webb
Daley	Grimme	Levy	Schifferdecker	Weil
Deitz	Gurnett	Lewis	Schnirel	Willard
Dennen	Hamilton	Macdonald	Schwarz	Willmott
Denney	Hammer	Madden	Seaker	Wood
Donohue	Hearn	Malone	Seely J L	Yale
Dorst	Heyman	Maloney	Shepardson	Yard
Doty	Hinman	McCollum	Silverstein	Yeomans

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March* 11, 1913.

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of the Senate bill (No. 135, Rec. No. 66), entitled "An act to amend the Indian Law, in relation to appeals to and from the council of Seneca nation," for the purpose of amendment.

By order of the Senate,

PATRICK E. McCABE,

*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 892, Int. No. 850), entitled "An act to amend the Town Law, in relation to the establishment and maintenance of sewer systems outside of incorporated cities and villages," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

[WEDNESDAY, MARCH 12.] 1005

A communication was received from Hon. Edwin W. Fiske, mayor of the city of Mount Vernon, returning Assembly bill (No. 1121, Int. No. 863), entitled "An act to amend section one hundred and fifty-eight of chapter one hundred and eighty-two of the Laws of eighteen hundred and ninety-two, entitled 'An act to incorporate the city of Mount Vernon,' in relation to the annual meeting of the common council," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Edward W. Fiske, mayor of the city of Mount Vernon, returning Assembly bill (No. 1120, Int. No. 865), entitled "An act to amend chapter seventy-five of the Laws of nineteen hundred and ten, entitled 'An act authorizing and empowering the city of Mount Vernon to acquire lands for a site and to improve the same, or a site already possessed, and to erect a municipal building or buildings thereon, and to issue bonds for the purpose of purchasing or otherwise acquiring, improving and erecting the same,' in relation to the amount of such bonds," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The privileges of the floor were extended to Hon. James S. Parker of Washington, and Hon. Fred G. Whitney of Oswego.

On motion of Mr. Levy, the House adjourned.

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### WEDNESDAY, MARCH 12, 1913.

The House met pursuant to adjournment.

Prayer by Rev. David C. Davies, Mechanicville.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the Twenty-ninth Annual Report of the Commissioners of the State Reservation at Niagara, which was laid upon the table and ordered printed.

(See Assembly Document No. 44.)

A message from the Governor, by the hand of his Secretary, was received and read, in words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,

ALBANY, *March* 11, 1913.

*To the Legislature:*

In my message addressed to you on February 19th, transmitting the report of the Public Health Commission appointed by me on January 10th, and urging its adoption, I stated that a draft of a bill to carry these recommendations into effect would follow. I beg to submit such draft herewith, and to earnestly urge its early and favorable consideration at your hands.

The Chief Executive of the United States, in his inaugural address, said:

“Nor have we studied and perfected the means by which government may be put at the service of humanity in safeguarding the health of the nation, the health of its men, and its women, and its children, as well as their rights in the struggle for existence. This is no sentimental duty. The firm basis of government is justice, not pity. These are matters of justice.”

This bill is a justice-promoting measure. By its enactment the State would perform in a more nearly adequate degree the imperative duty resting upon it to protect the health of its citizens. This measure, if enacted would place the State of New York in the front rank of those States in which the people, through their duly constituted representatives, have taken wise and far-sighted action to promote health, vigor and efficiency.

WILLIAM SULZER.

which was referred to the committee on public health.

Mr. Adler introduced a bill entitled “An act to amend the General Business Law, in relation to regulating the profession of shorthand reporters” (Int. No. 1613), which was read the first time and referred to the committee on general laws.

Mr. Burden introduced a bill entitled “An act to amend the Greater New York charter, in relation to eligibility of persons for employment in and about the jails of Kings and Queens counties” (Int. No. 1614), which was read the first time and referred to the committee on affairs of cities.

Mr. Bush introduced a bill entitled "An act making an appropriation for the protection of the forests from fire, and the enforcement of the fire provisions of the Conservation Law" (Int. No. 1615), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to armories" (Int. No. 1616), which was read the first time and referred to the committee on military affairs.

Mr. Donohue introduced a bill entitled "An act to amend the Greater New York charter, in relation to rights transferred by transfer of tax lien" (Int. No. 1617), which was read the first time and referred to the committee on affairs of cities.

Mr. Eisner introduced a bill entitled "An act to repeal article twelve of the Tax Law, and acts amendatory thereof, relating to the tax on transfers of stock" (Int. No. 1618), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Farrell introduced a bill entitled "An act to authorize the Comptroller of the State of New York to hear and determine the application of the owners of certain lands in Kings county for cancellation of a tax sale upon paying the amount charged against the same" (Int. No. 1619), which was read the first time and referred to the committee on affairs of cities.

Mr. Geoghan introduced a bill entitled "An act to amend the Highway Law, in relation to the width of bridges and the construction of connecting highways between certain cities" (Int. No. 1620), which was read the first time and referred to the committee on internal affairs.

Mr. Grace introduced a bill entitled "An act to provide for repairing the west pier at the foot of Owasco lake, and dredging Owasco outlet, and making an appropriation therefor" (Int. No. 1621), which was read the first time and referred to the committee on ways and means.

Mr. Greenberg introduced a bill entitled "An act to amend the General Business Law, in relation to amount of compensation permitted on advances on book accounts" (Int. No. 1622), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Personal Property Law, in relation to lenders of money on collateral security" (Int. No. 1623), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the General Business Law, in relation to regulating the discount business" (Int. No. 1624), which was read the first time and referred to the committee on general laws.

Mr. Gibbs introduced a bill entitled "An act to amend chapter two hundred and eighty-eight of the Laws of nineteen hundred and eleven, entitled 'An act in relation to the court of general sessions of the county of New York,' in relation to compensation of judges' clerks" (Int. No. 1625), which was read the first time and referred to the committee on affairs of cities.

Mr. Hinman introduced a bill entitled "An act to abate smoke nuisance in the city of Albany" (Int. No. 1626), which was read the first time and referred to the committee on affairs of cities.

Mr. Heyman introduced a bill entitled "An act to amend the Greater New York charter, in relation to the powers of the board of aldermen" (Int. No. 1627), which was read the first time and referred to the committee on affairs of cities.

Mr. J. A. Kelly introduced a bill entitled "An act to establish a State normal school at or near Millerton in the town of Northeast in the county of Dutchess, and making an appropriation therefor" (Int. No. 1628), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the General City Law, in relation to corporations engaged in the business of plumbing" (Int. No. 1629), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter four hundred and twenty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to amend the charter of the city of Poughkeepsie,' in relation to the hours for holding special elections" (Int. No. 1630), which was read the first time and referred to the committee on affairs of cities.

Mr. Knight introduced a bill entitled "An act to amend the Penal Law, in relation to pool-selling, book-making, bets and wagers" (Int. No. 1631), which was read the first time and referred to the committee on codes.



Mr. Lewis introduced a bill entitled "An act to amend the Greater New York charter in relation to the appointment of patrolwomen" (Int. No. 1632), which was read the first time and referred to the committee on affairs of cities.

Mr. McCollum introduced a bill entitled "An act to amend chapter seven hundred and fifty-two of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of North Tonawanda,' generally, and repealing certain provisions thereof relating to repaving" (Int. No. 1633), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter seven hundred and fifty-two of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of North Tonawanda,' in relation to the fire department" (Int. No. 1634), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to authorize the city of North Tonawanda to provide for the removal of the bodies, monuments and grave stones from a portion of an old burying ground known as Colonel John Sweeney's Tonawanda Rural Cemetery situate on the east side of Payne avenue between Christiana street and Thompson street in said city, and to provide a suitable place to inter all said bodies, and to reinter the same, and to reset the monuments and grave stones, and to issue bonds therefor, and acquire the title in fee to such grounds for a public street" (Int. No. 1635), which was read the first time and referred to the committee on affairs of cities.

Mr. Norton introduced a bill entitled "An act to amend the Highway Law, in relation to laying out, altering or discontinuing highways" (Int. No. 1636), which was read the first time and referred to the committee on internal affairs.

Mr. Patrie introduced a bill entitled "An act to amend the Conservation Law, in relation to license fees for eel pots and nets" (Int. No. 1637), which was read the first time and referred to the committee on conservation.

Also, "An act to amend the Conservation Law, by repealing article six thereof and enacting a new article, in relation to hydro-electric plants and districts, and making an appropriation there-

for " (Int. No. 1638), which was read the first time and referred to the committee on ways and means.

Mr. Richardson introduced a bill entitled "An act to amend the Personal Property Law, in relation to registering of transfer of accounts" (Int. No. 1639), which was read the first time and referred to the committee on general laws.

Mr. Robinson introduced a bill entitled "An act to authorize the release by the county of Kings to Andrew Carlson, of the public uses and trusts affecting certain lands in the town of Smithtown, conveyed to said Andrew Carlson by the people of the State of New York in exchange for certain other properties theretofore belonging to the said Andrew Carlson" (Int. No. 1640), which was read the first time and referred to the committee on ways and means.

Mr. Schnirel introduced a bill entitled "An act to amend the Personal Property Law, in relation to definitions and interpretation of certain terms" (Int. No. 1641), which was read the first time and referred to the committee on general laws.

Mr. Sullivan introduced a bill entitled "An act to amend the Conservation Law, in relation to the closed season for wild pheasants in Chautauqua county" (Int. No. 1642), which was read the first time and referred to the committee on conservation.

Also, "An act to amend the Tax Law, in relation to notice of taxes returned to the county treasurer as unpaid" (Int. No. 1643), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Sufrin introduced a bill entitled "An act to amend the Greater New York charter, in relation to the powers of the board of aldermen and board of estimate and apportionment over the size of buildings, and to empower the board of estimate and apportionment to employ an advisory commission and provide for the expense thereof" (Int. No. 1644), which was read the first time and referred to the committee on affairs of cities.

Mr. Schaap introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to the manufacture, furnishing, sale and distribution of steam for heat and power purposes" (Int. No. 1645), which was read the first time and referred to the committee on railroads.

Mr. Ward introduced a bill entitled "An act to amend the Penal Law, in relation to keeping disorderly houses" (Int. No. 1646), which was read the first time and referred to the committee on codes.

Also, "An act to amend the Tenement House Law, generally" (Int. No. 1647), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act to authorize the National Association of Stationary Engineers to hold its annual meetings and maintain its principal place of business outside of the State, and to legalize the annual meetings or conventions of such association held outside of the State" (Int. No. 1648), which was read the first time and referred to the committee on the judiciary.

Mr. Volk introduced a bill entitled "An act to provide for submitting to the people the question 'Shall there be a convention to revise the constitution and amend the same?' and to provide for such convention, if a majority of the electors shall decide that such convention be held" (Int. No. 1649), which was read the first time and referred to the committee on the judiciary.

Mr. Willmott introduced a bill entitled "An act to amend the Education Law, in relation to State aid for industrial schools, trade schools and schools of agriculture, mechanical arts and home-making" (Int. No. 1650), which was read the first time and referred to the committee on public education.

Also, "An act to amend the Railroad Law, in relation to grade crossings" (Int. No. 1651), which was read the first time and referred to the committee on railroads.

Mr. Yard introduced a bill entitled "An act to amend the Real Property Law, in relation to excepting certain lands from exemptions of cemeteries from taxation" (Int. No. 1652), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Penal Law, in relation to persons authorized to practice law in towns having a population of more than seven thousand five hundred inhabitants" (Int. No. 1653), which was read the first time and referred to the committee on codes.

Mr. Yeomans introduced a bill entitled "An act to amend the

County Law, in relation to expenses in conducting courts of record" (Int. No. 1654), which was read the first time and referred to the committee on internal affairs.

Mr. O'Brien introduced a bill entitled "An act to amend the Town Law, in relation to leasing of building by town board for justices of the peace" (Int. No. 1655), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Town Law, in relation to compensation of town officers" (Int. No. 1656), which was read the first time and referred to the committee on internal affairs.

Also, "An act to amend the Transportation Corporations Law, in relation to telephone charges" (Int. No. 1657), which was read the first time and referred to the committee on electricity, gas and water supply.

Also, "An act to release to Etta Dean Miller all the right, title and interest of the people of the State of New York in and to certain real estate situate in the town of Somers, county of Westchester and State of New York, acquired by escheat upon the death of Edward O'Connors" (Int. No. 1658), which was read the first time and referred to the committee on ways and means.

Mr. Brewster introduced a bill entitled "An act to amend chapter one hundred and forty-two of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Corning,' in relation to salary of assessors" (Int. No. 1659), which was read the first time and referred to the committee on affairs of cities.

Mr. Edwards introduced a bill entitled "An act to annex certain adjoining territory to the village of Lestershire, in the county of Broome and State of New York" (Int. No. 1660), which was read the first time and referred to the committee on affairs of villages.

Mr. Macdonald introduced a bill entitled "An act to provide for the transfer of certain tracks of land from the county of Saint Lawrence to the county of Franklin, changing the dividing line between such counties in accordance therewith, and making provisions as to certain matters incidental to such transfer and change" (Int. No. 1661), which was read the first time and referred to the committee on the judiciary.

Mr. Madden introduced a bill entitled "An act to amend the Highway Law, in relation to the issuance of county obligations for highway purposes" (Int. No. 1662), which was read the first time and referred to the committee on internal affairs.

Mr. Denney introduced a bill entitled "An act to amend the Domestic Relations Law, in relation to the issuing of marriage licenses" (Int. No. 1663), which was read the first time and referred to the committee on general laws.

Mr. Yard introduced a bill entitled "An act to amend chapter six hundred and forty-six of the Laws of nineteen hundred and five, entitled 'An act to provide for the construction and maintenance of a sanitary trunk sewer and a sanitary outlet sewer in the county of Westchester, and to provide means for the payment therefor,' generally" (Int. No. 1664), which was read the first time and referred to the committee on ways and means.

Mr. McDaniels introduced a bill entitled "An act to amend the Public Health Law, generally" (Int. No. 1665), which was read the first time and referred to the committee on public health.

Mr. Vert, of the legislative committee on the celebration of the centenary of the battle of Plattsburg, submitted the following report:

(See Appendix No. 3.)

which was referred to the committee on ways and means.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Jackson (No. 1413, Int. No. 1303), entitled "An act transferring Hopkins street in the city of Buffalo from the jurisdiction and control of the common council to the jurisdiction and control of the park commissioners of said city."

Also, Assembly bill introduced by Mr. Finnigan (No. 1386, Int. No. 1275), entitled "An act to amend the Greater New York charter in relation to compensation for city employees during absence from duty occasioned by injuries received in the performance of duty."

Also, Assembly bill introduced by Mr. J. A. Kelly (No. 1124, Int. No. 1051), entitled "An act to amend chapter four hundred and twenty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to amend the charter of the city of Poughkeepsie,'

in relation to publishing ordinances and compensation of election officials."

Also, Assembly bill introduced by Mr. Wood (No. 1053, Int. No. 1001), entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' in relation to the police department and city officers."

Also, Assembly bill introduced by Mr. Levy (No. 1384, Int. No. 1273), entitled "An act to amend the Greater New York charter, in relation to the power of the board of aldermen to issue permits for the sale of newspapers and periodicals."

Also, Assembly bill introduced by Mr. McKee (No. 1673, Int. No. 1515), entitled "An act to amend chapter eight hundred and eighty-seven of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the board of aldermen of the city of New York to audit, allow and certify to the comptroller for payment, as charges against said city, the reasonable expenses for medical and surgical treatment and maintenance of the mayor or other officer or employee of the city of New York for gunshot wounds or personal injuries, and authorizing the comptroller to audit and pay such charges,' in relation to extending the provisions of such chapter to county and borough officers."

Also, Assembly bill introduced by Mr. Daley (No. 1724, Int. No. 1551), entitled "An act to provide for the erection of a new vocational high school in the city of Syracuse."

Also, Assembly bill introduced by Mr. Kennedy (No. 1454, Int. No. 1343), entitled "An act to amend the Greater New York charter, in relation to providing for a relief and pension fund for the benefit of the members of the clerical, mechanical and uniform force of the bureau of street cleaning of the borough of Queens."

Also, Assembly bill introduced by Mr. Schifferdecker (No. 1498, Int. No. 1373), entitled "An act to amend the Greater New York charter, in relation to the registration of births not previously recorded."

Also, Assembly bill introduced by Mr. J. J. Kelly (No. 1002, Int. No. 956), entitled "An act to amend the Greater New York charter, in relation to an additional municipal court for the borough of Brooklyn."

Also, Assembly bill introduced by Mr. Geoghan (No. 1649, Int. No. 1493), entitled "An act to authorize the board of trustees of the police pension fund of the city of Buffalo, in their discretion, to increase pensions heretofore granted to widows of former members of the police force."

Also, Assembly bill introduced by Mr. Madden (No. 1701, Int. No. 1532), entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto.' "

Also, Assembly bill introduced by Mr. Kerrigan (No. 1241, Int. No. 1157), entitled "An act to amend the Greater New York charter, in relation to the regulation and registration of journeyman plumbers."

Also, Assembly bill introduced by Mr. McKee (No. 1672, Int. No. 1514), entitled "An act to amend the Greater New York charter, in relation to reports by the board of education," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Cuvillier (No. 1656, Int. No. 689), entitled "An act to amend the Greater New York charter, in relation to service of employees," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. T. D. Taylor (No. 1471, Int. No. 1307), entitled "An act to revise the charter of the city of Rensselaer," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 1369, Int. No. 1265) introduced by Mr. Levy, entitled "An act to amend the General City Law, in



relation to the powers of cities," reported in favor of the passage of the same, with the following amendments:

Page 3, line 21, transpose the words "next" and "year".

Line 23, after "maintain" insert "operate".

Line 24, after "supply" insert "systems".

Line 25, after "systems" insert "for lighting streets, public buildings and public places, and to lay out, establish, construct, maintain and operate".

Page 4, line 1, after "maintain" insert ", operate".

Line 5, after "establish" insert "acquire by purchase or condemnation"; after "maintain" insert "operate,".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. Burr (No. 1517, Int. No. 467), entitled "An act to amend the Greater New York charter, in relation to commissioners of deeds," retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 3, line 4, after "clerk" insert in italics "or register, if any". Strike out "and the register if"; also strike out the word "any" on line 5.

Line 15, after "New York" insert in italics "and", and strike out the word "and", last occurring, and the word "Westchester" on line 16.

Line 18, after "New York" insert in italics "and", and strike out the word "and", last occurring, and the word "Westchester" on line 19.

which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Silverstein (No. 953, Int. No. 909), entitled "An act to amend the Greater New York charter, in relation to salaries of the members of the supervising and teaching staffs of the board of education," reported the same with the following amendments:

Page 2, line 26, after the word "department" insert in italics "or made teacher in the grade of the seventh and eighth years appointed to teach in elementary schools prior to January first, nineteen hundred and twelve,".

Page 3, strike out italicized words in lines 1, 2 and 3.



and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Senate bill introduced by Mr. Stivers (No. 821, Rec. No. 95), entitled "An act to authorize the commissioners of the home of the city and town of Newburg to purchase lands adjoining the premises owned by them."

Also, Senate bill introduced by Mr. Wheeler (No. 700, Rec. No. 107), entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' in relation to appropriations for hospital purposes," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Weil, from the committee on taxation and retrenchment, to which was referred Assembly bill introduced by Mr. Emden (No. 311, Int. No. 307), entitled "An act to amend the Tax Law, in relation to payment of expenses in certiorari proceedings."

Also, Assembly bill introduced by Mr. Gallup (No. 64, Int. No. 64), entitled "An act to amend the Tax Law, in relation to the salaries of transfer tax clerks in the surrogate's court, Monroe county," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill introduced by Mr. McElligott (No. 517, Int. No. 506), entitled "An act to amend the Labor Law, in relation to mechanics working in State institutions."

Also, Assembly bill introduced by Mr. Daley (No. 1467, Int. No. 1352), entitled "An act to amend the Labor Law, in relation to hours of labor in mercantile establishments."

Also, Assembly bill introduced by Mr. Jackson (No. 1020, Int. No. 974), entitled "An act to amend the Labor Law, in relation to employment certificates."

Also, Assembly bill introduced by Mr. Levy (No. 1297, Int. No. 1198), entitled "An act to promote the public health by

amending the Labor Law, in relation to labor of more than six days in any one week."

Also, Assembly bill introduced by Mr. Kerrigan (No. 888, Int. No. 846), entitled "An act to amend the Labor Law, in relation to the use of compressed air in caissons, tunnels, and other works, and laborers employed."

Also, Assembly bill introduced by Mr. Jackson (No. 1023, Int. No. 977), entitled "An act to amend the Education Law, in relation to school-record certificates," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 1261, Int. No. 1177) introduced by Mr. McGrath, entitled "An act to amend the Labor Law, in relation to the manufacture, sale and use of mattresses," reported in favor of the passage of the same, with the following amendments:

Page 4, line 7, strike out comma and insert period after the word "cushions".

Page 4, line 8, beginning with the word "and" strike out all down to and including the word "fected" on line 13.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 1179, Int. No. 1100) introduced by Mr. Small, entitled "An act to amend the Labor Law, in relation to protecting employees working near switchboards," reported in favor of the passage of the same, with the following amendment:

Page 1, line 7, strike out the words "one hundred and ten" and insert in place the words "two hundred and twenty".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 1027, Int. No. 981) introduced by Mr. Jackson, entitled "An act to amend the Labor Law, in relation to the housing of factory employees," reported

in favor of the passage of the same, with the following amendments:

Page 1, lines 6 and 7, strike out all of line 6 after the number "98" and all of line 7 up to and including the word "to" on such line and insert in place thereof the following: "Labor camps. Every employer operating a factory, and furnishing to the employees thereof any living quarters at any place outside the factory, either directly or through any third person by contract or otherwise, shall".

Page 2, line 1, after the word "Any" insert the word "such", and after the word "quarters" insert a period.

Page 2, lines 2 and 3, strike out the entire lines.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Patrie, from the committee on labor and industries, to which was referred Assembly bill (No. 524, Int. No. 513), introduced by Mr. Jackson, entitled "An act to amend the Labor Law, in relation to foundries," reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, strike out the first two words, "promptly and"; also beginning with the second "and" strike out all down to and including the word "necessary" on line 6 and insert in place "in accordance with such rules and regulations as may be adopted with reference thereto by the industrial board, and whenever required by the regulation of such board".

Page 3, line 17, strike out the word "and" and in its place insert the word "but".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Heyman, from the committee on banks, to which was referred Assembly bill introduced by Mr. Richardson (No. 1309, Int. No. 1210), entitled "An act to amend the Banking Law, in relation to cumulative voting of stockholders at elections of bank directors."

Also, Assembly bill introduced by Mr. Knott (No. 963, Int. No. 919), entitled "An act to amend the Banking Law, in relation to closing a trust company," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Heyman, from the committee on banks, to which was referred Senate bill (No. 515, Rec. No. 23) introduced by Mr. Pollock, entitled "An act to amend the Banking Law, in relation to the merger of savings banks," reported in favor of the passage of the same, with the following amendment:

On page 2, line 2, after the word "county" insert the words "or borough".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Heyman, from the committee on banks, to which was referred Senate bill introduced by Mr. Pollock (No. 318, Rec. No. 24), entitled "An act to amend the Banking Law, in relation to oaths of trustees of savings banks, their qualification for a continuance in office and vacancies in the office of trustee," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Heyman, from the committee on banks, to which was referred Senate bill introduced by Mr. Pollock (No. 317, Rec. No. 25), entitled "An act to amend the Banking Law, in relation to removal of trustees of savings banks," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McKee, from the committee on public education, to which was referred Assembly bill introduced by Mr. McKee (No. 1655, Int. No. 1499), entitled "An act to amend the Education Law, relative to the establishment and maintenance of temporary schools in camps and other places of temporary habitation."

Also, Assembly bill introduced by Mr. Bush (No. 1206, Int. No. 1127), entitled "An act to amend chapter three hundred and seventy of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the public schools in the city of Elmira,' relating to deposits of school money with the city chamberlain."

Also, Assembly bill introduced by Mr. McKee (No. 1136, Int. No. 1063), entitled "An act to amend the Education Law, relative to geographic names."

Also, Assembly bill introduced by Mr. McKee (No. 1138, Int. No. 1065), entitled "An act to amend the Education Law, relative

to the apportionment of school moneys by district superintendents of schools."

Also, Assembly bill introduced by Mr. Brewster (No. 1064, Int. No. 1012), entitled "An act to amend chapter five hundred and ninety-two of the Laws of nineteen hundred and ten, entitled 'An act in relation to the care and investment of the Adam Haverling school fund belonging to Haverling union free school district number five, town of Bath, Steuben county, and repealing certain acts in relation thereto,' in relation to bond of treasurer of board of education of such free school district."

Also, Assembly bill introduced by Mr. McKee (No. 1139, Int. No. 1066), entitled "An act to amend the Education Law, relative to aid for blind and deaf students in colleges and universities."

Also, Assembly bill introduced by Mr. Yeomans (No. 1249, Int. No. 1165), entitled "An act to amend section one of chapter four hundred and fifty-nine of the Laws of nineteen hundred and seven, entitled 'An act in relation to school district number six in the town of Lyons in Wayne county, and repealing various acts relating specially thereto,' in relation to the boundaries of said district and the alteration thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Madden, from the committee on penal institutions, to which was referred Assembly bill introduced by Mr. Madden (No. 867, Int. No. 825), entitled "An act to amend the Prison Law, in relation to the earnings of prisoners."

Also, Assembly bill introduced by Mr. Hamilton (No. 1601, Int. No. 1444), entitled "An act to amend the Prison Law, in relation to pardons," reported in favor of the passage of the same without amendments, which report was agreed to, and said bill placed on the order of third reading.

Mr. Cuvillier, from the committee on military affairs, to which was referred Assembly bill introduced by Mr. Cuvillier (No. 1463, Int. No. 1348), entitled "An act to amend the Military Law, in relation to the formation of associations by squadrons and troops."

Also, Assembly bill introduced by Mr. Cuvillier (No. 1466, Int. No. 1349), entitled "An act to amend the Military Law, in relation to armory employees."

Also, Assembly bill introduced by Mr. Cuvillier (No. 1465, Int. No. 1350), entitled "An act to amend the Military Law, in relation to uniforms."

Also, Assembly bill introduced by Mr. Bush (No. 1143, Int. No. 1070), entitled "An act to amend the Military Law, in relation to the compensation of the major-general."

Also, Assembly bill introduced by Mr. Carver (No. 1466, Int. No. 1351), entitled "An act to amend the Poor Law, in relation to the relief of women nurses who served in the War of the Rebellion, the Spanish-American War or the War of the Philippine insurrection," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bill as correctly printed or engrossed:

"An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a life saving station." (No. 1743, Int. No. 640.)

The bill (No. 1477, Int. No. 906) entitled "An act to amend the Stock Corporation Law, in relation to the regulating and supervision of investment companies," having been announced,

Mr. Goldberg moved to amend as follows:

Page 3, strike out all of line 14 after the first comma, and lines 15 to 20, both inclusive, and insert "which shall sell or offer for sale to any person or persons in this State any stocks, bonds or other securities of any kind or character, except the bonds of the United States, the State of New York or of a municipality of the State of New York; but such term shall not include a State or National bank, trust company, an insurance corporation, a building loan association, a domestic corporation incorporated under or subject to the Banking Law, or a corporation of this or any other State the issue of whose securities is required to be approved by a Public Service Commission."

Page 10, lines 16, 17 and 18, strike out "stockholders and investors in said company or investors in the stocks, bonds or other securities by it offered for sale and to".

Page 10, line 19, after the period insert "Any stockholder and investor in such company or investor in the stocks, bonds or other securities by it offered for sale, may request the examiner of securities to make such examination. If such request be refused, such stockholder or investor may apply to the State's securities,

board, which may direct the examiner to make such examination. The fee for an examination made at the request of the investor or stockholder shall be paid by him, in an amount not to exceed that provided for in section ninety-two of this article."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was read the second time, and, on motion of Mr. Goldberg, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1304, Int. No. 1205) entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				



Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1528, Int. No. 933) entitled "An act to authorize the use of certain land owned by the State in Ulster county for a game farm, and making an appropriation for the equipment and stocking thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith h M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1478, Int. 1111) entitled "An act to legalize certain acts and proceedings of the former village of Saint Regis



Falls, its voters, officers and agents, dissolving such village, and to confirm and make effectual such dissolution," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1522, Int. No. 726) entitled "An act to amend the Conservation Law, in relation to taking certain fish in Ten Mile river in the towns of Amenia and Dover in the county of Dutchess," was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1592, Int. No. 875) entitled "An act to amend the Insurance Law, in relation to the standard fire insurance policy of the State of New York and the adjustment of losses thereunder," having been announced,

Mr. Walker moved that said bill be recommitted to the committee on insurance, with instructions to report the same forthwith amended as follows:

On page 5, line 10, change the word "determinate" to "determined."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Walker, from the committee on insurance, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1475, Int. No. 215) entitled "An act to amend the Public Health Law, in relation to repapering and recalcimining walls and ceilings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1474, Int. No. 119) entitled "An act to amend the Tax Law, in relation to the appointment of transfer tax appraisers, stenographers and clerks," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 1

Those who voted in the affirmative were:

Allen	Edwards	Hinman	McCollum	Shepardson
Baumes	Eisner	Hopkins	McCue	Silverstein
Baxter	Emden	Horton	McDaniels	Small
Benninger	Esquirol	Hover	McElligott	Smith J A
Bovie	Evans	Hughes	McGrath	Smith M
Bradley	Fallon	Ingram	McKee	Smith T K
Brereton	Farrell	Jackson	McKeon	Squire
Brewster	Finnigan	Jones	McMahon	Sutphin
Bryant	Fitzgerald	Jude	Monahan	Sweet
Burden	Fuller	Kane	Norton	Tallett
Burr	Gage	Kelly J A	O'Brien	Taylor F J
Bush	Gallup	Kelly J D	O'Connor	Taylor T D
Butts	Garvey	Kelly P J	Oxford	Telford
Campbell	Gathright	Kenney	Pappert	Ulrich
Carroll	Geoghan	Kennedy	Patrie	Tudor
Caughlan	Geyer	Kerrigan	Pembleton	Van Woert
Cole	Gibbs	Kiernan	Phillips	Vert
Cotillo	Gillen	Knight	Prime	Volk
Cronin	Gillett	Knott	Pullman	Walker
Cuvillier	Goldberg	Kornobis	Richardson	Ward
Daley	Grace	Lane	Robinson	Webb
Deits	Greenberg A	Larrimer	Rozan	Weil
Dennen	Grimme	Lewis	Schifferdecr	Willard
Denney	Gurnett	Macdonald	Schnirel	Willmott
Donohue	Hamilton	Madden	Schwarz	Wood
Dorst	Hammer	Magee	Seaker	Yale
Doty	Hearn	Malone	Seely J L	Yard
Dox	Heyman	Maloney	Seelye G T	Yeomans

In the negative:

Schaap

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 423, Int. No. 421) entitled "An act to amend the Lien Law, in relation to the refiling of chattel mortgages and the entry thereof," was read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rosan	Webb
Deitz	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Machold	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1587, Int. No. 683) entitled "An act to amend the Greater New York charter, in relation to creating a new district for the municipal court of the borough of Brooklyn, changing the boundary lines of existing districts and providing for the election of one additional justice therefrom," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 140

NOES 1

Those who voted in the affirmative were:

Allen	Edwards	Hinman	McCollum	Shepardson
Baumes	Eisner	Hopkins	McCue	Silverstein
Baxter	Emden	Horton	McDaniels	Small
Benninger	Esquirol	Hover	McElligott	Smith J A
Bovie	Evans	Hughes	McGrath	Smith M
Bradley	Fallon	Ingram	McKee	Smith T K
Brereton	Farrell	Jackson	McKeon	Squire
Brewster	Finnigan	Jones	McMahon	Sutphin
Bryant	Fitzgerald	Jude	Monahan	Sweet
Burden	Fuller	Kane	Norton	Tallett
Burr	Gage	Kelly J A	O'Brien	Taylor F J
Bush	Gallup	Kelly J D	O'Connor	Taylor T D
Butts	Garvey	Kelly P J	Oxford	Telford
Campbell	Gathright	Kenney	Pappert	Tudor
Carroll	Geoghan	Kennedy	Patrie	Ulrich
Caughlan	Geyer	Kerrigan	Pembleton	Van Woert
Cole	Gibbs	Kiernan	Phillips	Vert
Cotillo	Gillen	Knight	Prime	Volk
Cronin	Gillett	Knott	Pullman	Walker
Cuvillier	Goldberg	Kornobis	Richardson	Ward
Daley	Grace	Lane	Robinson	Webb
Deitz	Greenberg A	Larrimer	Rozan	Weil
Dennen	Grimme	Lewis	Schifferdecker	Willard
Denney	Gurnett	Macdonald	Schnirel	Willmott
Donohue	Hamilton	Madden	Schwarz	Wood
Dorst	Hammer	Magee	Seaker	Yale
Doty	Hearn	Malone	Seely J L	Yard
Dox	Heyman	Maloney	Seelye G T	Yeomans

In the negative:

Schaap

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1303, Int. No. 1204) entitled "An act to amend the Greater New York charter, in relation to assessments for local improvements confirmed after the first day of January, nineteen hundred and eight," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deits	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dors	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1513, Int. No. 655) entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences," having been announced for a third reading,

On motion of Mr. Pembleton, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 638, Int. No. 618) entitled "An act to amend section seventeen of chapter five hundred and eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and mar-

shals,' as amended by chapter six hundred and three of the Laws of nineteen hundred and seven, in relation to hour for opening of court," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deits	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 777, Int. No. 748) entitled "An act to amend the County Law, in relation to the establishment of county hospital for tuberculosis," having been announced for a third reading,

On motion of Mr. Bush, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.



The bill (No. 1188, Int. No. 1109) entitled "An act authorizing the board of town auditors of the town of White Plains to hear, audit, determine and allow the alleged claim of Alice Cox Anderson for services rendered the said town of White Plains as clerk of the board of assessors of said town, and to provide for the payment of such claim," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Colc	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rosan	Webb
Deits	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 837, Int. No. 647) entitled "An act to amend the General Business Law, in relation to standard barrels for pears and quinces," having been announced for a third reading,

On motion of Mr. Hover, said bill was recommitted to the committee on agriculture, retaining its place on the order of third reading.

By unanimous consent, Mr. Esquirol offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the Senate bill (No. 481, Rec. No. 46), entitled "An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act entitled "An act to incorporate the Green-Wood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the designation of those to be interred in alienable lots and the transfer of such lots in certain cases."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Esquirol, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Esquirol, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor

Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1585, Int. No. 691) entitled "An act to amend chapter one hundred and fifty-two of the Laws of eighteen hundred and fifty, entitled 'An act further to amend an act, entitled "An act to incorporate the Green-Wood Cemetery," passed April eighteenth, eighteen hundred and thirty-eight,' in relation to permitting a change in the designation of those to be interred in alienable lots and the transfer of such lots in certain cases," having been announced for a third reading.

On motion of Mr. Esquirol said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1269, Int. No. 501) entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons," having been announced for a third reading,

On motion of Mr. Bush, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 895, Int. No. 853) entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty," having been announced for a third reading,

On motion of Mr. Bush, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The Senate bill (No. 814, Assembly Reprint No. 1681, Rec. No. 69) entitled "An act to amend the Code of Civil Procedure,

in relation to injunctions," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 141

NOES 00

Those who voted in the affirmative were:

Allen	Eisner	Hopkins	McCue	Shepardson
Baumes	Emden	Horton	McDaniels	Silverstein
Baxter	Esquirol	Hover	McElligott	Small
Benninger	Evans	Hughes	McGrath	Smith J A
Bovie	Fallon	Ingram	McKee	Smith M
Bradley	Farrell	Jackson	McKeon	Smith T K
Brereton	Finnigan	Jones	McMahon	Squire
Brewster	Fitzgerald	Jude	Monahan	Sutphin
Bryant	Fuller	Kane	Norton	Sweet
Burden	Gage	Kelly J A	O'Brien	Tallett
Burr	Gallup	Kelly J D	O'Connor	Taylor F J
Bush	Garvey	Kelly P J	Oxford	Taylor T D
Butts	Gathright	Kenney	Pappert	Telford
Campbell	Geoghan	Kennedy	Patrie	Tudor
Carroll	Geyer	Kerrigan	Pembleton	Ulrich
Caughlan	Gibbs	Kiernan	Phillips	Van Woert
Cole	Gillen	Knight	Prime	Vert
Cotillo	Gillett	Knott	Pullman	Volk
Cronin	Goldberg	Kornobis	Richardson	Walker
Cuvillier	Grace	Lane	Robinson	Ward
Daley	Greenberg A	Larrimer	Rozan	Webb
Deitz	Grimme	Lewis	Schaap	Weil
Dennen	Gurnett	Macdonald	Schifferdecker	Willard
Denney	Hamilton	Madden	Schnirel	Willmott
Donohue	Hammer	Magee	Schwarz	Wood
Dorst	Hearn	Malone	Seaker	Yale
Doty	Heyman	Maloney	Seely J L	Yard
Dox	Hinman	McCollum	Seelye G T	Yeomans
Edwards				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 883, Int. No. 841) entitled "An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail," having been announced for a third reading,

On motion of Mr. Hamilton, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

A communication was received from Hon. Daniel Sheenan, mayor of the city of Elmira, returning Assembly bill (No. 922, Int. No. 879), entitled "An act authorizing the city of Elmira to issue bonds for paving purposes," with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The privileges of the floor were extended to Hon. Fred. R. Toombs and Hon. S. C. Waring.

On motion of Mr. Bush, the House adjourned.

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THURSDAY, MARCH 13, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Henry S. Van Woert, Selkirk.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the State Institute for the Study of Malignant Disease, which was laid upon the table and ordered printed.

(See Assembly Document No. 45.)

Also, the special report of the Conservation Commission on the efficiency of the Top Lopping Law, which was laid upon the table and ordered printed.

(See Assembly Document No. 46.)

The Senate sent for concurrence the following entitled bills:

"An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail" (No. 1165, Rec. No. 111), which was read the first time.

On motion of Mr. McGrath, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. McGrath, and by unanimous consent, said bill was read the third time, having been printed and on the desks of

the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deits	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter two hundred and thirty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to authorize the city of Brooklyn to establish and maintain a disciplinary training school for boys, and to authorize the commitment thereto by magistrates and courts of boys under the age of fourteen years who shall be vagrants or convicted of certain offenses in said city,' in relation to the acquirement of a site for said school within or without the city limits" (No. 1018, Rec. No. 112), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the State Printing Law, in relation to the number of extra copies of certain reports to be printed as legislative documents" (No. 1213, Rec. No. 113), which was read the first time and referred to the committee on ways and means.

"An act to permit the city of Mount Vernon to provide for the special lighting of the business district of said city, and to assess the cost thereof upon the abutting property" (No. 680, Rec. No. 114), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Code of Criminal Procedure, in relation to the compensation of condemnation commissioners" (No. 693, Rec. No. 115), which was read the first time and referred to the committee on codes.

"An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the board of public works of the city of New Rochelle" (No. 1123, Rec. No. 116), which was read the first time.

On motion of Mr. Bovie, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Bovie, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J

Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deitz	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend the Greater New York charter, in relation to the powers of the commissioners of the sinking fund ” (No. 1166, Rec. No. 117), which was read the first time and referred to the committee on affairs of cities.

“An act to amend the Military Law, in relation to the militia council ” (No. 843, Rec. No. 118), which was read the first time and referred to the committee on military affairs.

“An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry’s Victory Centennial Commission ” (No. 514, Rec. No. 119), which was read the first time and referred to the committee on ways and means.

“An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences ” (No. 1126, Rec. No. 120), which was read the first time and referred to the committee on codes.

“An act to provide for the excavation and construction of a shaft and the erection, installation and operation of an elevator connecting Fort Washington avenue and a tunnel street from Bennett avenue at One Hundred and Ninetieth street to Riverside drive, and for assessing the cost and expense thereof upon the property benefited ” (No. 744, Rec. No. 121), which was read the first time and referred to the committee on affairs of cities.



"An act to amend the Judiciary Law, in relation to the retirement of employees by the Appellate Division of the second department" (No. 328, Rec. No. 122), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Labor Law, in relation to cleanliness of workrooms in factories" (No. 1125, Rec. No. 123), which was read the first time.

On motion of Mr. Jackson, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Jackson, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deitz	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwartz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Code of Civil Procedure, in relation to security for costs in justice's court" (No. 456, Rec. No. 124), which was read the first time and referred to the committee on codes.

"An act to amend the Highway Law, in relation to the construction of State and county highways in villages" (No. 566, Rec. No. 125), which was read the first time and referred to the committee on internal affairs.

"An act to provide for the regulation of telegraph, telephone and electric light wires and cables in the streets and avenues of the city of Mount Vernon, and to provide for placing the same underground" (No. 1011, Rec. No. 126), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Baumes introduced a bill entitled "An act in relation to authorizing the city of Newburgh, New York, to grant rights in certain streets in said city for the construction and operation of public switches and sidings affording connections with trunk line railroads, and declaring the effect of permission heretofore granted by the city therefor" (Int. No. 1666), which was read the first time and referred to the committee on affairs of cities.

Mr. Burr introduced a bill entitled "An act to amend the Greater New York charter, relative to contracts for work or supplies" (Int. No. 1667), which was read the first time and referred to the committee on affairs of cities.

Mr. Cole introduced a bill entitled "An act to provide for the completion and erection of buildings at the New York State College of Agriculture" (Int. No. 1668), which was read the first time and referred to the committee on ways and means.

Mr. Carver introduced a bill entitled "An act to amend the Greater New York charter, in relation to retirement from active service of officers, clerks and employees" (Int. No. 1669), which was read the first time and referred to the committee on affairs of cities.

Mr. Caughlan introduced a bill entitled "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred,

entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' in relation to the lines of extension of said park" (Int. No. 1670), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the Greater New York charter in relation to the final disposition of refuse" (Int. No. 1671), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades,' and relating to the commissioners" (Int. No. 1672), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend chapter one hundred and seventy of the Laws of nineteen hundred, entitled 'An act to provide for the selection, location, appropriation and management of certain lands along the Palisades of the Hudson river for an interstate park, and thereby to preserve the scenery of the Palisades'" (Int. No. 1673), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend 'An act to provide for a commission to investigate and consider means for protecting the waters of New York bay and vicinity against pollution, and authorizing the city of New York to pay the expenses thereof,' in relation to the term of said commission" (Int. No. 1674), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to elect delegates to a constitutional convention for the purpose of framing a constitution for the proposed State of Manhattan" (Int. No. 1675), which was read the first time and referred to the committee on the judiciary.

Also, "An act giving the consent of the Legislature of the State of New York to the formation and erection of a new State within the jurisdiction of the State of New York, to be known as the

State of Manhattan " (Int. No. 1676), which was read the first time and referred to the committee on the judiciary.

Mr. Cotillo introduced a bill entitled "An act to amend the Penal Law, generally, in relation to the carrying, use and sale of dangerous weapons" (Int. No. 1677), which was read the first time and referred to the committee on codes.

Mr. Cronin introduced a bill entitled "An act to amend the Railroad Law, in relation to qualifications of certain employees of railroads" (Int. No. 1678), which was read the first time and referred to the committee on railroads.

Mr. Doty introduced a bill entitled "An act to amend the Conservation Law, in relation to the open season for trout" (Int. No. 1679), which was read the first time and referred to the committee on conservation.

Also, "An act to amend the Education Law, relative to persons entitled to annuities from the public school teachers' retirement fund" (Int. No. 1680), which was read the first time and referred to the committee on public education.

Mr. Donohue introduced a bill entitled "An act authorizing the preparation of an index of the Session Laws and statutes of the State of New York" (Int. No. 1681), which was read the first time and referred to the committee on ways and means.

Mr. Dorst introduced a bill entitled "An act to amend the Labor Law, in relation to hours of labor of certain railroad employees" (Int. No. 1682), which was read the first time and referred to the committee on labor and industries.

Mr. Eisner introduced a bill entitled "An act providing for the improvement of the land and water front adjacent to Riverside park in the city of New York by extending and improving said park, and regulating the use of said land and water front, generally" (Int. No. 1683), which was read the first time and referred to the committee on affairs of cities.

Mr. Fitzgerald introduced a bill entitled "An act to ratify, confirm and legalize the proceedings of the city of Lackawanna, in the county of Erie, State of New York, for the paving of South Park avenue, and the Hamburg turnpike in said city, and for the issuance and sale of bonds of said city to pay for the paving of said South Park avenue and Hamburg turnpike, and to

provide for the payment of said bonds" (Int. No. 1684), which was read the first time and referred to the committee on the judiciary.

Mr. Kornobis introduced a bill entitled "An act to amend the Decedent Estate Law, in relation to the distribution of personal property" (Int. No. 1685), which was read the first time and referred to the committee on the judiciary.

Mr. Gibbs introduced a bill entitled "An act to amend the Greater New York charter, in relation to the construction of wharf structures and making repairs to wharf property in said city" (Int. No. 1686), which was read the first time and referred to the committee on affairs of cities.

Mr. McCue introduced a bill entitled "An act to amend the Railroad Law, in relation to the avoidance of grade crossings in the construction of new railroads across streets" (Int. No. 1687), which was read the first time and referred to the committee on railroads.

Mr. Madden introduced a bill entitled "An act to amend the Second Class Cities Law, relative to salaries" (Int. No. 1688), which was read the first time and referred to the committee on affairs of cities.

Mr. Robinson introduced a bill entitled "An act to confer jurisdiction on the Board of Claims to hear, audit and determine the alleged claim of John I. Munro against the State for damages alleged to have been sustained by him while in the employ of the State at Kings Park State Hospital, and to render judgment therefor" (Int. No. 1689), which was read the first time and referred to the committee on claims.

Mr. Sutphin introduced a bill entitled "An act to ratify and confirm an agreement made under date of July twenty-first, nineteen hundred and eleven, between the city of New York and the Long Island Railroad Company, providing for the elimination of grade crossings and for a payment by the city towards the expense thereof, and to enable the city of New York to carry out all of the provisions and conditions thereof" (Int. No. 1690), which was read the first time and referred to the committee on affairs of cities.

Mr. Sweet introduced a bill entitled "An act to amend the Education Law, in relation to the establishment of a State school of agriculture at Pulaski Academy and Union school at Pulaski in the county of Oswego, and making an appropriation therefor" (Int. No. 1691), which was read the first time and referred to the committee on ways and means.

Mr. Schwarz introduced a bill entitled "An act to provide for the acquisition of land for a game farm in the county of Rensselaer, and making appropriation therefor" (Int. No. 1692), which was read the first time and referred to the committee on ways and means.

Mr. Sufrin introduced a bill entitled "Concurrent resolution of the Senate and Assembly proposing amendments to section one of article twelve of the Constitution, guaranteeing to cities and incorporated villages the right of municipal self government and of framing and adopting charters for their government" (Int. No. 1693), which was read the first time and referred to the committee on the judiciary.

Mr. Silverstein introduced a bill entitled "An act for the abolition of cars commonly known as horse cars within cities of the first class" (Int. No. 1694), which was read the first time and referred to the committee on railroads.

Mr. Sweet introduced a bill entitled "An act to amend chapter sixty-three of the Laws of nineteen hundred and two, entitled 'An act to incorporate the city of Fulton,' generally" (Int. No. 1695), which was read the first time and referred to the committee on affairs of cities.

Mr. J. L. Seely introduced a bill entitled "An act to amend the Military Law, in relation to the compensation of employees in armories" (Int. No. 1696), which was read the first time and referred to the committee on military affairs.

Mr. Telford introduced a bill entitled "An act to amend the Tax Law, in relation to the equalization of assessment and levy of bank taxes" (Int. No. 1697), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. F. J. Taylor introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to the removal of gas meters" (Int. No. 1698), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Walker introduced a bill entitled "An act to amend chapter seven hundred and seventy-six of the Laws of nineteen hundred and eleven, entitled 'An act to improve the water-front facilities of the city of New York, in relation to the receipt, delivery and shipment of freight,' generally" (Int. No. 1699), which was read the first time and referred to the committee on railroads.

Also, "An act to amend chapter seven hundred and seventy-eight of the Laws of nineteen hundred and eleven, entitled 'An act to amend the Transportation Corporations Law by adding thereto an additional article, ten-a, providing for the incorporation of freight terminal companies,' in relation to the ownership or control of stock and bonds of freight terminal companies by certain corporations and joint stock associations" (Int. No. 1700), which was read the first time and referred to the committee on railroads.

Mr. Lewis introduced a bill entitled "An act to amend subdivision one of section thirty-one of chapter five hundred eighty of the Laws of nineteen hundred and two, entitled 'An act in relation to the municipal court of the city of New York, its officers and marshals,' by providing that the summons may be served upon the treasurer of a corporation" (Int. No. 1701), which was read the first time and referred to the committee on codes.

Mr. Willmott introduced a bill entitled "An act to amend the Greater New York charter, in relation to promotions in the police department" (Int. No. 1702), which was read the first time and referred to the committee on affairs of cities.

Mr. Willard introduced a bill entitled "An act to amend chapter two hundred and seventy-four of the Laws of nineteen hundred and two, entitled 'An act to authorize the holding of Special Terms of the Supreme Court in the cities of Jamestown and Olean,' in relation to the holding of Trial Terms in the city of Olean" (Int. No. 1703), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Agricultural Law, in relation to the sale and analysis of concentrated commercial feeding stuffs" (Int. No. 1704), which was read the first time and referred to the committee on agriculture.



Mr. Silverstein introduced a bill entitled "An act to amend the Greater New York charter, relative to marine engineers of the police department" (Int. No. 1705), which was read the first time and referred to the committee on affairs of cities.

Mr. Jackson introduced a bill entitled "An act to promote the health and efficiency of firemen in cities of the first class by providing for a two platoon system in the fire departments of such cities" (Int. No. 1706), which was read the first time and referred to the committee on affairs of cities.

Mr. Fuller introduced a bill entitled "An act to amend the State Charities Law, in relation to the retention of inmates in charitable institutions" (Int. No. 1707), which was read the first time and referred to the committee on general laws.

Mr. J. L. Seely introduced a bill entitled "An act to authorize the county treasurer of the county of Steuben to extend the time for the collection of taxes in the city of Hornell" (Int. No. 1708), which was read the first time.

On motion of Mr. J. L. Seely, and by unanimous consent, said bill was read the second time and ordered to third reading and referred to the committee on ways and means.

Mr. Squire introduced a bill entitled "An act to amend the charter of the city of Schenectady, in relation to the improvement of the streets, as State or county highways, by the State Commission of Highways" (Int. No. 1709), which was read the first time and referred to the committee on affairs of cities.

Mr. Eisner introduced a bill entitled "An act providing for the improvement of the lands under water and waterfront adjacent to Riverside park in the city of New York by extending and improving said park, and regulating the use of said lands under water and waterfront" (Int. No. 1710), which was read the first time and referred to the committee on affairs of cities.

Mr. Willard introduced a bill entitled "An act to incorporate the city of Salamanca" (Int. No. 1711), which was read the first time and referred to the committee on affairs of cities.

Mr. Pullman introduced a bill entitled "An act to legalize, ratify and confirm the acts and proceedings of the town of Frankfort, in the county of Herkimer, and of its electors, officers and agents, in relation to the issuance and sale of town obligations



for additional highway construction and validating such bonds and providing for their payment" (Int. No. 1712), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend chapter five hundred and sixty-five of the Laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Little Falls,' and the acts amendatory thereof, relative to the paving or re-paving of any street or portion of a street" (Int. No. 1713), which was read the first time and referred to the committee on affairs of cities.

Mr. Brereton introduced a bill entitled "An act to amend the Highway Law, in relation to the course and description of State route twenty-three" (Int. No. 1714), which was read the first time and referred to the committee on internal affairs.

Mr. Monahan introduced a bill entitled "An act to amend the Public Health Law, relative to the practice of medicine" (Int. No. 1715), which was read the first time and referred to the committee on public health.

Mr. Eisner introduced a bill entitled "An act to amend the Banking Law, in relation to credit unions" (Int. No. 1716), which was read the first time and referred to the committee on banks.

Also, "An act to amend the Domestic Relations Law, in relation to the solemnization of marriages" (Int. No. 1717), which was read the first time and referred to the committee on the judiciary.

Mr. Daley introduced a bill entitled "An act to amend chapter eight hundred and fifty-one of the Laws of nineteen hundred and eleven, in relation to the management and control of the State College of Forestry at Syracuse University" (Int. No. 1718), which was read the first time and referred to the committee on the judiciary.

Mr. Malone introduced a bill entitled "An act to amend the Prison Law, in relation to commutation of sentence" (Int. No. 1719), which was read the first time and referred to the committee on penal institutions.

Mr. Weil introduced a bill entitled "An act to amend the Tax Law, in relation to the salary of the State Board of Tax Commissioners" (Int. No. 1720), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to the powers and duties of the State Board of Tax Commissioners" (Int. No. 1721), which was read the first time and referred to the committee on taxation and retrenchment.

Also, "An act to amend the Tax Law, in relation to assessment-roll, and assessment of omitted property" (Int. No. 1722), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill introduced by Mr. Evans (No. 437, Int. No. 432), entitled "An act to provide for certain improvements to Bashas kill, at the mouth of Pine hill, in the county of Orange, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Brewster (No. 1208, Int. No. 1129), entitled "An act to provide for the removal of an island in the Chemung river at Corning, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Maloney (No. 1404, Int. No. 1294), entitled "An act to amend the Education Law, in relation to the establishment of a State normal and training school on Long Island."

Also, Assembly bill introduced by Mr. Bush (No. 1315, Int. No. 1216), entitled "An act to reappropriate certain unexpended balances of former appropriations."

Also, Assembly bill introduced by Mr. Willard (No. 948, Int. No. 903), entitled "An act to provide for the alteration, remodeling and improvement of the State armory in the city of Olean, the disposition of the old armory building, and making an appropriation therefor."

Also, Assembly bill introduced by Mr. Malone (No. 1626, Int. No. 1470), entitled "An act to provide for the acquisition of a farm site for the hygienic and antitoxin laboratories of the State Department of Health, making an appropriation therefor, and also for the disposition of property now occupied for such purpose."

Also, Assembly bill introduced by Mr. Edwards (No. 1207, Int. No. 1128), entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled

‘An act to revise the charter of the city of Binghamton,’ in relation to appropriations for hospital purposes.”

Also, Assembly bill introduced by Mr. T. K. Smith (No. 482, Int. No. 477), entitled “An act to amend chapter eight hundred and fifty-one of the Laws of nineteen hundred and eleven, entitled ‘An act to establish a State college of forestry at Syracuse University, and making an appropriation therefor,’ relative to the objects and purposes of the college.”

Also, Assembly bill introduced by Mr. Fitzgerald (No. 1469, Int. No. 1354), entitled “An act to amend the Public Service Commissions Law, in relation to the regulation and supervision of water supply companies, and making an appropriation therefor,” reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was recommitted Assembly bill introduced by Mr. Hearn (No. 231, Int. No. 228), entitled “An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of the State,” retaining its place on the order of second reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 455, Int. No. 450) introduced by Mr. Van Woert, entitled “An act to provide for the construction of a new bridge over the Black River canal, at Main street in the village of Port Leyden, in the county of Lewis, and making an appropriation therefor,” reported in favor of the passage of the same, with the following amendment:

Page 1, line 9, strike out the words “twenty thousand dollars (\$20,000)” and insert in the place thereof the words “fifteen thousand dollars (\$15,000)”.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 902, Int. No. 859) introduced

by Mr. Adler, entitled "An act relating to the completion of the Capitol," reported in favor of the passage of the same, with the following amendments:

Page 1, lines 4 and 5, strike out "Superintendent of Public Works" and insert "Trustees of Public Buildings".

Page 1, lines 7 and 8, strike out "Superintendent of Public Works" and insert "Trustees of Public Buildings".

Page 2, line 4, strike out "Superintendent of Public Works" and insert "Trustees of Public Buildings".

Page 2, line 5, strike out "Superintendent" and insert "Trustees".

Page 2, line 10, after the word "the" strike balance of line.

Page 2, line 11, strike out all of line down to and including the word "Governor" and insert "Trustees of Public Buildings".

Page 2, line 12, strike out "Governor" and insert "Trustees of Public Buildings".

Page 2, line 17, strike out "Superintendent of Public Works" and insert "Trustees of Public Buildings".

Page 2, line 22, strike out Superintendent of Public Works" and insert "Trustees of Public Buildings".

Page 3, line 3, strike out "Superintendent of Public Works" and insert "Trustees of Public Buildings".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Assembly bill (No. 404, Int. No. 402) introduced by Mr. Gathright, entitled "An act to amend the Prison Law, in relation to the retirement of employees in State prisons and pensions of such employees," reported in favor of the passage of the same, with the following amendments:

Page 4, line 8, after the word "creditors" strike out remainder of line 8.

Strike out lines 9, 10, 11, 12, 13, and 14, and the word "die" on line 15.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Bush, from the committee on ways and means, to which was referred Senate bill (No. 514, Rec. No. 119) introduced by Mr. Ramsperger, entitled "An act making an appropriation

to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, after the words "and the" insert the words "officers and the".

Page 2, line 4, after the word "fleet" strike out the words "and in memory of officers".

Page 2, line 7, after the word "celebration" strike out the word "and".

Page 2, strike out line 24.

Page 2, line 25, strike out the words "said island".

Page 3, line 1, strike out all of line after the word "commissioners".

Page 3, line 12, after the word "board" insert the words "only in connection with the celebration of Perry's Victory".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Kennedy (No. 1003, Int. No. 957), entitled "An act to amend chapter six hundred and sixty-seven of the Laws of eighteen hundred and sixty-eight, entitled 'An act to enable Conrad Poppenhausen to found an institution in the village of College Point,' generally."

Also, Assembly bill introduced by Mr. Schnirel (No. 573, Int. No. 559), entitled "An act to legalize an issue of forty thousand dollars of bonds of the city of Geneva, authorized at a special election in said city held May twenty-third, nineteen hundred and eleven."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 1125, Int. No. 1052), entitled "An act to amend the Executive Law, in relation to the duties of the Attorney-General in actions involving the constitutionality of a statute."

Also, Assembly bill introduced by Mr. Hammer (No. 1218, Int. No. 1139), entitled "An act to amend the General Corporation Law, in relation to corporate names of titles."

Also, Assembly bill introduced by Mr. Burr (No. 1461, Int. No. 1346), entitled "An act to amend the Judiciary Law, in relation to certain books and papers that may be destroyed."

Also, Assembly bill introduced by Mr. Grace (No. 705, Int. No. 679), entitled "An act to legalize conveyances upon tax sales in the county of Cayuga and proceedings affecting such sales and conveyances."

Also, Assembly bill introduced by Mr. Kenney (No. 976, Int. No. 932), entitled "An act granting the consent of the State of New York to the occupation by the United States of certain lands for the purpose of the erection of a lighthouse and necessary buildings, situate near the city of Kingston in the county of Ulster, and ceding jurisdiction over the same."

Also, Assembly bill introduced by Mr. McGrath (No. 386, Int. No. 383), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article one of the Constitution, relative to taking private property for public use."

Also, Assembly bill introduced by Mr. Yard (No. 1142, Int. No. 1069), entitled "An act to authorize the board of supervisors of the county of Westchester to pay, as a county charge, a sum of money deposited with the county treasurer of said county by order of the Supreme Court."

Also, Assembly bill introduced by Mr. Schaap (No. 1397, Int. No. 1287), entitled "An act to amend the Real Property Law, in relation to recording a bond or other instrument secured by mortgage."

Also, Assembly bill introduced by Mr. Eisner (No. 180, Int. No. 177), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fifteen of article three of the Constitution, in relation to the jurisdiction of the Court of Appeals."

Also, Assembly bill introduced by Mr. Vert (No. 1636, Int. No. 1480), entitled "An act to amend the Election Law, relative to independent nominations for public office."

Also, Assembly bill introduced by Mr. McMahon (No. 590, Int. No. 576), entitled "An act to erect the county of Bronx from the territory now comprised within the limits of the borough of the

Bronx, in the city of New York, as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, and all acts amendatory thereof and supplemental thereto."

Also, Assembly bill introduced by Mr. Phillips (No. 682, Int. No. 656), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to article six of the Constitution, in relation to opinions of the Court of Appeals."

Also, Assembly bill introduced by Mr. McGrath (No. 1353, Int. No. 1249), entitled "An act authorizing the State Commission in Lunacy, on behalf of the State of New York, to surrender to the city of New York, and vesting in said city the authority to accept same, an indenture of lease of premises situate in the borough of Manhattan, in said city, and leased to the State in pursuance of chapter seven hundred and sixty, Laws of nineteen hundred and four, and releasing to said city all the right and title of the State in and to said lease and premises."

Also, Assembly bill introduced by Mr. Sutphin (No. 594, Int. No. 580), entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to the hearing of claims for exemption within the county of Queens."

Also, Assembly bill introduced by Mr. Patrie (No. 1320, Int. No. 1221), entitled "An act to legalize, ratify and confirm the issuing of bonds of the town of Hunter, in the county of Greene, authorized by the board of supervisors of said county, for the purpose of reconstructing and improving certain highways within said town, and to provide for the payment of the principal and interest thereof."

Also, Assembly bill introduced by Mr. Doty (No. 1177, Int. No. 1098), entitled "An act to amend chapter eight hundred and seventy-six of the Laws of nineteen hundred and eleven, entitled 'An act to constitute poor district number one of the county of Orange, in relation to the support of the poor in said district, and ratifying and confirming certain acts of the board of supervisors and other county officers in relation thereto,' in relation to the rights and powers of such district."



Also, Assembly bill introduced by Mr. Hearn (No. 1396, Int. No. 1286), entitled "An act to authorize the State Architect to receive tenders of sale or gift to the State of real estate in the city of Buffalo, as a site for a State building in said city, to contain all branch offices of State officers, bureaus or departments located or needed in said city, and to authorize the city of Buffalo to offer or tender the sale or gift of such a site."

Also, Assembly bill introduced by Mr. Bovie (No. 1222, Int. No. 1143), entitled "An act to authorize the town of Eastchester, in the county of Westchester, to expend a sum not exceeding five thousand dollars for the purchase of a motor hook and ladder truck for said town, in accordance with the vote of the electors at a special meeting held in said town on the fifth day of November, nineteen hundred and twelve, and to authorize said town to issue its bonds to raise funds to meet said expenditure, and to provide for the payment of the principal and interest of said bonds."

Also, Assembly bill introduced by Mr. Bovie (No. 1060, Int. No. 1008), entitled "An act to incorporate the 'Mount Vernon Masonic Guild,'" reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was recommitted Assembly bill introduced by Mr. Deitz (No. 912, Int. No. 869), entitled "An act to amend the Judiciary Law, in relation to the settlement or adjustment of certain actions in which an attorney shall have appeared," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill (No. 1451, Int. No. 1340) introduced by Mr. Grimme, entitled "An act to amend chapter one hundred and seven of the Laws of eighteen hundred and eighty-seven, entitled 'An act to incorporate the Nyack fire department, and to exempt its property from taxation,' in relation to the funds of such department and the distribution thereof," reported in favor of the passage of the same, with the following amendment:

Page 2, line 4, after the word "provided" strike out the period and insert a comma, and also insert the words "except the



amount payable to the Firemen's Association of the State of New York under the provisions of the Insurance Law, which amount shall be paid to said Firemen's Association."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill (No. 31, Int. No. 31) introduced by Mr. Goldberg, entitled "Concurrent resolution of the Senate and Assembly amending section five of article four of the Constitution, relating to reprieves, commutations and the pardons to be granted by the Governor," reported in favor of the passage of the same, with the following amendment:

Page 1, line 6, after word "Governor," strike out the words "of whom the Governor shall be one."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill (No. 618, Int. No. 598) introduced by Mr. Horton, entitled "An act to amend chapter two hundred and eighty-nine of the Laws of nineteen hundred and eleven, entitled 'An act to extend the corporate existence of the Enterprise Land Company; and to validate its conveyance of real estate and the election of its trustees,' in relation to extending the corporate existence of the Enterprise Land Company for certain purposes," reported in favor of the passage of the same, with the following amendment:

Page 2, line 5, strike out "at any time have been" and insert the words "now be".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. Goldberg (No. 805, Int. No. 770), entitled "An act to amend the Civil Service Law, with respect to the power of removal," reported the same with the following amendments:

Page 4, line 1, strike out "person" and insert in italics in place thereof "regular clerk or head of a bureau or person holding a position,".

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on the judiciary, to which was referred Assembly bill introduced by Mr. J. D. Kelly (No. 897, Int. No. 855), entitled "An act to amend the Insanity Law, in relation to applications for a writ of habeas corpus," reported the same with the following amendment:

Page 2, strike out beginning with the word "where" on line 3 down to and including line 11 and insert in italics "Where a second or subsequent application is made for the discharge from custody of the same patient, any party to the proceeding may introduce in evidence any testimony, in relation to the mental condition of such patient, received upon any former hearing or trial, together with all the exhibits introduced in evidence upon such hearing or trial in connection with such testimony without calling the witnesses who gave such testimony, such evidence to have the same force and effect as if such witnesses had been called."

and requests that said bill be recommitted to said committee, which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Goldberg, from the committee on the judiciary, to which was referred Senate bill introduced by Mr. Fitzgerald (No. 878, Rec. No. 73), entitled "An act to amend chapter eight hundred and fifty-five of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity and providing for their compensation,' in relation to the services prerequisite to such retirement, and to voluntary retirement," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill introduced by Mr. Levy (No. 864, Int. No. 822), entitled "An act to amend the Penal Law, in relation to the manipulation of prices of securities and conspiring movements to deceive the public."

Also, Assembly bill introduced by Mr. McCue (No. 1196, Int. No. 1117), entitled "An act to amend the Penal Law, in relation to guard posts."

Also, Assembly bill introduced by Mr. Levy (No. 860, Int. No. 818), entitled "An act to amend the Penal Law, in relation to false representations concerning securities."

Also, Assembly bill introduced by Mr. Levy (No. 861, Int. No. 819), entitled "An act to amend the Penal Law, in relation to bucket shops."

Also, Assembly bill introduced by Mr. Levy (No. 859, Int. No. 817), entitled "An act to amend the Penal Law, in relation to transactions by brokers after insolvency and in the hypothecation of customers' securities."

Also, Assembly bill introduced by Mr. Levy (No. 866, Int. No. 824), entitled "An act to amend the Penal Law, in relation to trading by brokers against customers' orders."

Also, Assembly bill introduced by Mr. Levy (No. 865, Int. No. 823), entitled "An act to amend the Penal Law, in relation to reporting or publishing fictitious transactions in securities."

Also, Assembly bill introduced by Mr. Levy (No. 1066, Int. No. 1014), entitled "An act to amend the Penal Law, in relation to the delivery to customers of memoranda of transactions by brokers."

Also, Assembly bill introduced by Mr. Levy (No. 1067, Int. No. 1015), entitled "An act to amend the Penal Law, in relation to discriminations by exchanges or the members thereof."

Also, Assembly bill introduced by Mr. Levy (No. 1068, Int. No. 1016), entitled "An act to amend the Banking Law, in relation to the organization and regulation of exchange corporations."

Also, Assembly bill introduced by Mr. Evans (No. 1657, Int. No. 168), entitled "An act to amend the Penal Law, in relation to certain railroad employees," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was re-committed Assembly bill introduced by Mr. Goldberg (No. 1741, Int. No. 1178), entitled "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to the city magistrates' court."

Also, recommitted Assembly bill introduced by Mr. Walker (No. 1680, Int. No. 666), entitled "An act to amend the Penal Law, in relation to the sale or possession of cocaine or eucaine," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 1199, Int. No. 1120) introduced by Mr. Donohue, entitled "An act to amend the Code of Civil Procedure, in relation to temporary possession pending condemnation proceedings," reported in favor of the passage of the same, with the following amendment:

On page 1, at line 5, after the word "proceedings" insert in italics "after the time of the defendant to answer has expired". which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Assembly bill (No. 392, Int. No. 389) introduced by Mr. O'Brien, entitled "An act to amend the Code of Civil Procedure, in relation to the burden of proof of contributory negligence in an action to recover damages for personal injuries or causing death," reported in favor of the passage of the same, with the following amendments:

On page 1, amend title by striking out the word "or".

On page 1, at line 6, strike out the words "for personal injury".

On page 1, at line 7, strike out the word "or" and the word "plaintiff".

On page 2, at line 1, strike out the word "or".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McGrath, from the committee on codes, to which was referred Senate bill (No. 626, Rec. No. 94) introduced by Mr. Stilwell, entitled "An act to provide for a commission on the codification of the practice and procedure in the municipal court of the city of New York and to simplify, revise and amend the pleadings, practice and procedure therein, and to provide rules for the conduct of the court, justices, clerks and attaches thereof

and the marshals attached to the said court," reported in favor of the passage of the same, with the following amendment:

Page 2, line 9, strike out "attorneys and counsellors at law of the State of New York, of at least ten years' standing" and insert "members of the Legislature, two to be designated by the President of the Senate and two to be designated by the Speaker of the Assembly,".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Assembly bill introduced by Mr. Walker (No. 1355, Int. No. 1251), entitled "An act to amend the Insurance Law, in relation to inspections of premises by assistants to the State Fire Marshal."

Also, Assembly bill introduced by Mr. Ward (No. 1362, Int. No. 1258), entitled "An act to amend the Insurance Law, in relation to service of orders made by the State Fire Marshal."

Also, Assembly bill introduced by Mr. Ward (No. 1363, Int. No. 1259), entitled "An act to amend the Insurance Law, in relation to lists of officers to be furnished to the State Fire Marshal by county clerks."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 1352, Int. No. 1248), entitled "An act to amend the Insurance Law, in relation to reports of assistants to the State Fire Marshal."

Also, Assembly bill introduced by Mr. Kane (No. 1349, Int. No. 1245), entitled "An act to amend the Insurance Law, in relation to excusing persons from testifying upon any investigation, proceeding or inquiry before the State Fire Marshal."

Also, Assembly bill introduced by Mr. J. D. Kelly (No. 1542, Int. No. 1399), entitled "An act to amend the Insurance Law, in relation to transportation of explosives," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Senate bill (No. 704, Rec. No. 81) introduced by Mr. Ramsperger, entitled "An act to amend the Insurance Law, in relation to standard provisions for accident and health policies and

discriminations," reported in favor of the passage of the same, with the following amendments:

On page 17, line 18, strike out " I " and insert " L ".

On page 17, after line 26, insert a new subdivision to be subdivision " M " to read as follows:

" Subd. (M). The term ' indemnity ' as used in this section means benefits promised."

Strike out all italics and reprint italicised matter in plain type.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Robinson (No. 570, Int. No. 556), entitled "An act to amend the Town Law, in relation to town auditors."

Also, Assembly bill introduced by Mr. Schwarz (No. 683, Int. No. 657), entitled "An act to amend chapter two hundred and ninety-four of the Laws of nineteen hundred and two, entitled 'An act to provide for the licensing of dogs in cities of the second class, for the care and protection of lost, strayed or homeless dogs, for securing and protecting the rights of the owners thereof and for the protection of the public,' in relation to the destruction of dogs," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McElligott, from the committee on general laws, to which was referred Assembly bill introduced by Mr. Eisner (No. 1253, Int. No. 1169), entitled "An act to amend the Real Property Law, in relation to registering titles to real property," reported the following substitute bill:

(See Appendix No. 4.)

and requests that said bill, when printed, be recommitted to said committee, which report was agreed to, and said substitute bill ordered printed and recommitted to said committee.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. J. A. Smith (No. 542, Int. No. 528), entitled "An act to amend the County Law,

in relation to expenses of the supervisors of the county of Saint Lawrence."

Also, Assembly bill introduced by Mr. Squire (No. 1605, Int. No. 1448), entitled "An act to provide means for the completion and furnishing of the new Schenectady county jail and the furnishing of the New Schenectady county court house in the city of Schenectady, New York, for the use of the county of Schenectady."

Also, Assembly bill introduced by Mr. T. K. Smith (No. 776, Int. No. 747), entitled "An act to amend chapter eight hundred and fifty-eight of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' relative to the time of filing statement of unpaid taxes by the county treasurer of Onondaga county."

Also, Assembly bill introduced by Mr. Maloney (No. 973, Int. No. 929), entitled "An act to amend the County Law, in relation to fire districts."

Also, Assembly bill introduced by Mr. Macdonald (No. 1007, Int. No. 961), entitled "An act to amend the Town Highway Law, relative to claims for damages resulting from defective highways."

Also, Assembly bill introduced by Mr. Yale (No. 1450, Int. No. 1339), entitled "An act to amend chapter one hundred and thirty-eight of the Laws of eighteen hundred and fifty-eight, entitled 'An act to amend an act entitled "An act to authorize the improving and keeping in repair a certain highway in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair," passed March twenty-fourth, eighteen hundred and fifty-seven,' in relation to the amount to be raised annually for the maintenance thereof."

Also, Assembly bill introduced by Mr. Gage (No. 1508, Int. No. 1383), entitled "An act to repeal chapter three hundred and ninety of the Laws of eighteen hundred and fifty-nine."

Also, Assembly bill introduced by Mr. Doty (No. 1535, Int. No. 1392), entitled "An act to amend the County Law, in relation to the power of the board of supervisors to authorize municipalities and districts to borrow money."



Also, Assembly bill introduced by Mr. Norton (No. 671, Int. No. 645), entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of sheriff of Washington county a salaried office, and regulating the management of said office.'"

Also, Assembly bill introduced by Mr. Evans (No. 803, Int. No. 768), entitled "An act to amend the Highway Law, in relation to the construction of State and county highways in villages."

Also, Assembly bill introduced by Mr. Knight (No. 697, Int. No. 671), entitled "An act providing for the assessment and taxation of certain State lands in the town of Genesee Falls, Wyoming county."

Also, Assembly bill introduced by Mr. Allen (No. 940, Int. No. 895), entitled "An act to amend the Town Law, in relation to requiring sewer connections in town sewer districts."

Also, Assembly bill introduced by Mr. O'Brien (No. 137, Int. No. 135), entitled "An act to amend the Town Law, in relation to limitation of credit of towns and counties," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill (No. 1383, Int. No. 1272) introduced by Mr. P. J. Kelly, entitled "An act to amend the Highway Law, in relation to the construction or improvement of highways by county and town," reported in favor of the passage of the same, with the following amendment:

Page 5, line 11, strike out after the word "county" all of lines 12, 13, 14 and the brackets on 6 and 11.

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Senate bill introduced by Mr. Peckham (No. 1022, Rec. No. 105), entitled "An act to amend the Town Law, in relation to the appointment of special constables," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McCue, from the committee on railroads, to which was referred Assembly bill introduced by Mr. Doty (No. 988, Int.



No. 942), entitled "An act to amend the Railroad Law, in relation to the regulation of hours of labor on certain railroads, and to repeal section seven of the Labor Law."

Also, Assembly bill introduced by Mr. McCue (No. 1129, Int. No. 1056), entitled "An act to amend the Railroad Law, in relation to the conveyance of railroads and their franchises."

Also, Assembly bill introduced by Mr. Hammer (No. 71, Int. No. 71), entitled "An act to amend the Railroad Law, in relation to the establishment of stations and the stopping of trains thereat."

Also, Assembly bill introduced by Mr. Jones (No. 232, Int. No. 229), entitled "An act to amend the Railroad Law, in relation to the diverting of carload shipments of coal and providing a penalty therefor."

Also, Assembly bill introduced by Mr. Tudor (No. 1448, Int. No. 1337), entitled "An act to amend the Public Service Commissions Law, in relation to quotation of rates by common carriers," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McCue, from the committee on railroads, to which was referred Assembly bill (No. 588, Int. No. 574) introduced by Mr. Goldberg, entitled "An act to amend the Transportation Corporations Law, in relation to stage-coach routes," reported in favor of the passage of the same, with the following amendments:

Page 2, line 2, after the words "time or times," insert in italics "for a period not longer than twenty-five years".

Page 2, line 2, after the word "and" and before the words "to operate," insert in italics "during such period".

Page 2, line 10, after "route" insert in italics "stating the date of the beginning and the expiration of the term thereof".

Page 2, line 16, before the word "review" insert in italics "without".

Page 2, line 16, strike out "except as to the reasonableness of the".

Page 2, strike out lines 17 and 18.

Page 2, line 19, strike out the words "may be reviewed by writ of certiorari".

Page 3, line 3, after "right" insert in italics "subject to regulation as is, or may be provided by law".

Page 3, line 9, at the end of the line insert in italics as follows: "Any such corporation may declare any portion of any of its routes, which portion it may deem no longer necessary for the successful operation of its lines and convenience of the public to be relinquished or abandoned. Such declaration of abandonment must be adopted by the board of directors of the corporation under its seal, which shall be submitted to the stockholders thereof at a meeting called and conducted in the same manner as required by law for meetings of stockholders. If the stockholders shall at such meeting ratify and adopt such declaration of abandonment, the secretary of the company shall so certify under the seal of the corporation upon such declaration. Such declaration shall then be submitted to the Public Service Commission for its approval and if approved by such board such approval shall be endorsed thereon or annexed thereto and the declaration so certified and endorsed shall be filed and recorded in the office of the Secretary of State and in the office of the clerk of each county in which such portion of route so proposed to be abandoned or any part thereof shall be located, and from the time of such filing such portion of the route designated in the declaration shall be deemed to be abandoned."

which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. McCue, from the committee on railroads, to which was referred Assembly bill (No. 1059, Int. No. 1007) introduced by Mr. Hearn, entitled "An act to amend the Railroad Law, in relation to coal jimmies and caboose cars," reported in favor of the passage of the same, with the following amendments:

Page 2, line 10, before "less" insert in italics "not".

Line 11, strike out "be of" and insert in place thereof in italics "have a center"; after "strength" insert in italics "not"; strike out "sixty" and insert in place thereof in italics "fifty".

Line 19, after "feet" insert in italics "and".

Line 20, strike out "six" and insert in place thereof in italics "two".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. McCue, from the committee on railroads, to which was referred Assembly bill (No. 466, Int. No. 461) introduced by Mr. Brewster, entitled "An act to amend the Public Service Commis-

sions Law, in relation to the powers of the Public Service Commission in respect of carriers of passengers and freight by water," reported in favor of the passage of the same, with the following amendments:

On page 2, line 5, strike out the word "water" in italics and insert the following: "upon waters situate wholly or ferry companies operating boats between any boroughs of the city of New York. Nor shall the word come and carrier when used in this chapter mean referred to or include any steamboat, steamship, navigation line or navigation company except ferry lines operating boats or water craft which is now or may hereafter be under the supervision of and subject to inspection by the government of the United States or any department, board or commission thereof."

which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Butts, from the committee on affairs of villages, to which was referred Assembly bill introduced by Mr. G. T. Seelye (No. 1322, Int. No. 1223), entitled 'An act to amend chapter one hundred and six of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville, and to repeal certain acts,' in relation to the compensation of president and trustees."

Also, Assembly bill introduced by Mr. O'Brien (No. 1726, Int. No. 1553), entitled "An act to amend the Village Law, in relation to the borrowing of money for highway purposes."

Also, Assembly bill introduced by Mr. O'Brien (No. 1444, Int. No. 1333), entitled "An act to amend chapter six hundred and ~~sixty-six~~ of the Laws of nineteen hundred and eleven, entitled 'An act to create a police pension fund for disabled and retired policemen and their widows and orphans in the village of White Plains,' in relation to moneys constituting such fund."

Also, Assembly bill introduced by Mr. Yard (No. 1093, Int. No. 1038), entitled "An act to authorize the village of Peekskill to construct a building to be used as a jail, police court and police headquarters, and to acquire necessary lands therefor, and to issue bonds for such purpose; and repealing chapter seven hundred and thirty-five of the Laws of nineteen hundred and eleven, and ratify-

ing and confirming the bonds issued thereunder; and directing the use of the proceeds of such bonds."

Also, Assembly bill introduced by Mr. Grace (No. 739, Int. No. 711), entitled "An act to authorize the village of Weedsport and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burial ground in said village."

Also, Assembly bill introduced by Mr. G. T. Seelye (No. 690, Int. No. 664), entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to providing for a legal expense fund."

Also, Assembly bill introduced by Mr. G. T. Seelye (No. 689, Int. No. 663), entitled "An act to amend chapter three hundred and twenty-three of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the election of a receiver of taxes and assessments for the town and village of Saratoga Springs,' in relation to collecting interest on village funds from the depositaries of the same."

Also, Assembly bill introduced by Mr. G. T. Seelye (No. 687, Int. No. 661), entitled "An act to amend chapter sixty-eight of the Laws of eighteen hundred and eighty, entitled 'An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments,' in relation to unredeemed tax sale certificates."

Also, Assembly bill introduced by Mr. G. T. Seelye (No. 686, Int. No. 660), entitled "An act in relation to the disposition of ten thousand dollars and accrued interest belonging to the village of Saratoga Springs now on special deposit in the Adirondack Trust Company of Saratoga Springs, and permitting the same to be applied on the village tax budget for the year nineteen hundred and thirteen."

Also, Assembly bill introduced by Mr. G. T. Seelye (No. 685, Int. No. 659), entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled

‘An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,’ in relation to moneys to be raised for village purposes.”

Also, Assembly bill introduced by Mr. G. T. Seelye (No. 498, Int. No. 493), entitled “An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled ‘An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,’ in relation to creating a comptroller’s expense fund.”

Also, Assembly bill introduced by Mr. G. T. Seelye (No. 497, Int. No. 492), entitled “An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled ‘An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,’ in relation to cemeteries and the amount of money to be raised for the care of the same.”

Also, Assembly bill introduced by Mr. G. T. Seelye (No. 495, Int. No. 490), entitled “An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled ‘An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,’ in relation to permitting the commissioner of parks to expend the sum of money to be received from the commissioners of the State Reservation at Saratoga Springs,” reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Butts, from the committee on affairs of villages, to which was referred Senate bill introduced by Mr. Healy (No. 692, Rec. No. 87), entitled “An act to amend the Village Law, in relation to the compensation of collectors.”

Also, Senate bill introduced by Mr. Healy (No. 691, Rec. No. 86), entitled “An act to amend the Village Law, in relation to street improvement,” reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Gurnett, from the committee on conservation, to which was referred Assembly bill introduced by Mr. Gurnett (No. 1615, Int. No. 1459), entitled “An act to amend the Conservation Law, in relation to the taking of lake trout with nets in Lake Seneca.”

Also, Assembly bill introduced by Mr. Sweet (No. 1604, Int. No. 1447), entitled "An act to amend the Conservation Law, in relation to the open season for muskrat," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Gurnett, from the committee on conservation, to which was recommitted Assembly bill introduced by Mr. T. K. Smith (No. 691, Int. No. 665), entitled "An act to amend the Conservation Law, in relation to the propagation of game and to the application therefor of fees for hunting and trapping licenses," retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Gurnett, from the committee on conservation, to which was referred Assembly bill (No. 1616, Int. No. 1460) introduced by Mr. Gurnett, entitled "An act to amend the Conservation Law, in relation to the taking of hares and rabbits in the counties of Schuyler and Tompkins," reported in favor of the passage of the same, with the following amendments:

Page 1, line 9, strike out the word "and".

Page 1, line 10, insert after the word "Tompkins," "Columbia, Livingston, Oswego and Steuben".

In title, line 2, strike out the word "and".

In title, line 2, insert after the word "Tompkins," "Columbia, Livingston, Oswego and Steuben".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Heyman, from the committee on banks, to which was referred Assembly bill introduced by Mr. Madden (No. 1316, Int. No. 1217), entitled "An act to amend the Banking Law, in relation to borrowing money, purchasing real property and taking purchase money mortgages by savings and loan associations having assets, one-half or more of which consist of real property."

Also, Assembly bill introduced by Mr. Hammer (No. 491, Int. No. 486), entitled "An act to amend the Banking Law, in relation to the payment of interest by savings banks."

Also, Assembly bill introduced by Mr. Heyman (No. 367, Int. No. 363), entitled "An act to amend the Penal Law, relative

to abstraction of or wilful misapplication of money, funds or property, or misapplication of credit, of any corporation subject to the Banking Law, by an officer, director, trustee, employee or agent thereof," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Jackson, from the committee on excise, to which was recommitted Assembly bill introduced by Mr. McCue (No. 1030, Int. No. 601), entitled "An act to amend the Liquor Tax Law, in relation to the definition of 'convicted' and 'conviction,' by striking out said definition," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Jackson, from the committee on excise, to which was referred Assembly bill (No. 520, Int. No. 509) introduced by Mr. Walker, entitled "An act to amend the Liquor Tax Law, in relation to illegal sales and selling," reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, " clause B " should read " clause A ".

Page 1, after line 7, insert here:

" A. On Sunday; or before [six] five o'clock in the morning on Monday; or ".

" § 2. Clause B. of section thirty of said chapter, as amended by chapter four hundred and ninety-four of the Laws of nineteen hundred and ten, is hereby amended to read as follows:"

Page 1, line 8, small " b " should be capital " B ".

Page 2, line 5, " § 2 " should read " § 3.; clause " n " should read clause " N."

Page 2, line 8, small " n " should be capital " N ".

Page 4, line 18, change " § 3 " to " § 4."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Gallup, from the committee on public institutions, to which was recommitted Assembly bill introduced by Mr. Gallup (No. 834, Int. No. 338), entitled "An act to amend the State Charities Law, in relation to the office and clerical force of the Fiscal Supervisor," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.



Mr. Willmott, from the committee on charitable and religious societies, to which was referred Assembly bill introduced by Mr. Adler (No. 1394, Int. No. 1284), entitled "An act to amend the Religious Corporations Law, in relation to the number of trustees of Baptist churches."

Also, Assembly bill introduced by Mr. Brereton (No. 978, Int. No. 934), entitled "An act to provide for the removal and reinterment of bodies in a cemetery in the town of Bolton in Warren county."

Also, Assembly bill introduced by Mr. Lewis (No. 1217, Int. No. 1138), entitled "An act to amend the Religious Corporations Law, in relation to free churches in communion with the Protestant Episcopal church," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Goldberg (No. 1477, Int. No. 906), entitled "An act to amend the Stock Corporation Law, in relation to the regulating and supervision of investment companies," reported the same with the following recommendations:

Page 3, line 3, strike out "act" and insert "article".

Page 12, line 2, strike out "in chambers".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act authorizing the city of Buffalo to borrow money by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health." (No. 1778, Int. No. 1021.)

"An act to provide for the erection of a suitable monument to commemorate the services of the Twenty-fifth New York Volunteer Cavalry in the battle of Fort Stevens, and making an appropriation therefor." (No. 189, Int. No. 186.)

"An act in relation to the Cuba reservoir, and making an appropriation on account thereof." (No. 923, Int. No. 880.)



"An act to amend chapter five hundred and twenty of the Laws of nineteen hundred and twelve, entitled 'An act to provide for the alteration of the building known as the State house, for the use of the Court of Appeals, making an appropriation therefor and reappropriating unexpended balances for perfecting plans for such alteration and reconstruction,' in relation to architect's compensation and modification of plans." (No. 1034, Int. No. 982.)

Mr. Cuvillier offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill (No. 1591, Int. No. 339) entitled "An act to amend the Judiciary Law, in relation to justices of the city court of the city of New York and judges of the court of general sessions of the city and county of New York acting as official referees after retirement or resignation as justices."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Cuvillier moved to amend as follows:

On page 2, line 7, strike out the word "sixteen" and insert the word "twelve".

On page 3, line 2, after the word "proceeding" insert the word "so".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Cuvillier, said bill was ordered reprinted and recommitted to said committee.

Mr. Walker offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on insurance be discharged from the further consideration of the bill (No. 1588, Int. No. 85), entitled "An act to amend the Insurance Law, in relation to surety companies."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Walker moved to amend as follows:

Page 5, line 19, strike out the words "or certificates" and insert after the words "that it is" the word "*qualified*" in italics; and strike out the words "authorized for the ensuing year".

Line 22, after the word "undertakings" insert comma, strike out word "or" and insert the word "*other*" in italics; after the word "obligations" insert the words "*or guaranties*" in italics.

Line 24, after the word "certificate" insert the words "or a copy thereof certified to be such by the superintendent," in italics.

Page 6, line 3, strike out the words "forthwith upon filing such certificate", and strike out lines 4, 5, 6 and 7 down to and including the words "of the place of such filing", and also strike out on line 7 the words "of insurance".

Line 8, insert after the word "solvency" the words "upon notice to and hearing of such corporation," in italics.

Line 9, insert after the word "office" a comma.

Line 10, insert before the word "serving" the word "*and*" in italics; and strike out the word "shall" and insert the word "*was*" in italics.

Line 11, strike out the words "have been" and insert period after the word "issued" and strike out the remainder of the line; also strike out lines 12, 13, 14, 15 and 16 and insert the words "the superintendent may publish notice of such revocation in such newspapers as he deems proper," in italics.

Line 24, strike out the word "company" and insert the word "*corporation*" in italics.

Page 7, line 1, place the word "company" in brackets after the word "such" and insert the word "*corporation*" in italics.

Line 3, place the word "company" in brackets after the word "such" and insert the word "*corporation*" in italics.

Line 5, place the word "company" in brackets after the word "such" and insert the word "*corporation*" in italics.

Line 10, insert the bracket after the word "thereof" and before the comma, and strike out the bracket before the word "when".

Line 13, after the bracket and before the word "may" insert the words "filed with the clerk of any other county,".

Line 14, insert comma after the word "bonds" and place the word "*and*" in brackets.

Line 15, place the word "company" in brackets after the word "such" and insert the word "*corporation*" in italics.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Walker, said bill was ordered reprinted and recommitted to said committee.

Mr. Lewis offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on taxation and retrenchment be discharged from the further consideration of the bill (No. 245, Int. No. 242) entitled "An act to amend the Tax Law, in relation to the exemption from taxation of all property of a municipal corporation used and maintained for a municipal water supply."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced,

Mr. Lewis moved to amend as follows:

Strike out the words "But all" on line 9 of page 1 and all of line 10 on said page and lines 1 to 6, inclusive, on page 2 and insert in italics "*But all lands heretofore or hereafter acquired for the purpose of a water supply by any municipal corporation within the limits or boundaries of another municipal corporation, shall hereafter be assessed and taxed at the value of said lands exclusive of all dams, aqueducts and other structures and works necessary for the purpose of a water supply, and at a valuation not higher than the valuation of similar lands in the immediate vicinity within the tax district. In the valuation of said lands the assessors shall treat all lands flooded by the construction of dams, or used for the purpose of storing or impounding water thereon, as land not under water, but in no event shall the valuation thereof for taxation purposes exceed the average rate of valuation per acre for taxation purposes of improved acreage tracts similar in character and location in the remainder of said tax district.*"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Lewis, said bill was ordered reprinted and recommitted to said committee.

Mr. Phillips offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on ways and means be discharged from the further consideration of Assembly bill (No. 1752, Int. No. 1569), entitled "An act to amend the Insanity Law, in relation to the retirement of employees of State hospitals for the insane," and that said bill be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Levy moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Doty	Hover	McCollum	Shepardson
Allen	Dox	Hughes	McCue	Silverstein
Baxter	Edwards	Ingram	McDaniels	Small
Benninger	Eisner	Jackson	McElligott	Smith J A
Birnhart	Emden	Jude	McGrath	Smith T K
Bovie	Esquirol	Kane	McKee	Squire
Bradley	Evans	Kelly J A	McKeon	Sutphin
Brereton	Finnigan	Kelly J J	McMahon	Sweet
Bryant	Fitzgerald	Kelly J D	Monahan	Tallett
Burden	Fuller	Kelly P J	Norton	Taylor F J
Bush	Gage	Kenney	O'Brien	Taylor T D
Butts	Gallup	Kennedy	Patrie	Telford
Campbell	Gathright	Kerrigan	Pembleton	Tudor
Carroll	Geoghan	Kiernan	Phillips	Ulrich
Carver	Geyer	Knight	Prime	Van Woert
Caughlan	Gibbs	Knott	Pullman	Vert
Cole	Gillett	Kornobis	Richardson	Walker
Cotillo	Goldberg	Larrimer	Rozan	Ward
Cronin	Grace	Levy	Schaap	Webb
Cuvillier	Grimme	Lewis	Schifferdecker	Weil
Daley	Gurnett	Machold	Schnirel	Willard
Deitz	Hamilton	Madden	Schwarz	Willmott
Dennen	Hammer	Magee	Seaker	Wood
Denney	Hearn	Malone	Seely J L	Yard
Donohue	Heyman	Maloney	Seelye G T	Yeomans
Dorst	Hinman			

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Mr. Levy moved that the House proceed with business during the pendency of the call.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 736, Rec. No. 76) entitled "An act to amend the Highway Law, generally."

Debate was had thereon, when Mr. Levy moved the previous question.

Mr. Speaker put the question " Shall the main question be now put? " and it was determined in the affirmative.

On motion of Mr. Evans, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 90

NOES 37

Those who voted in the affirmative were:

Benninger	Doty	Hammer	Larrimer	Schifferdecker
Bovie	Dox	Hearn	Levy	Schwarz
Bush	Eisner	Heyman	Lewis	Seely J L
Butts	Emden	Hover	Madden	Silverstein
Campbell	Esquirol	Hughes	Maloney	Squire
Carroll	Evans	Ingram	McCollum	Sutphin
Carver	Farrell	Jackson	McCue	Taylor F J
Caughlan	Finnigan	Kane	McDaniels	Taylor T D
Cole	Fitzgerald	Kelly J A	McElligott	Telford
Cotillo	Gallup	Kelly J J	McGrath	Tudor
Cronin	Gathright	Kelly J D	McKee	Ulrich
Cuvillier	Geoghan	Kelly P J	McKeon	Van Woert
Daley	Geyer	Kenney	McMahon	Walker
Deitz	Gibbs	Kennedy	Monahan	Ward
Dennen	Goldberg	Kerrigan	O'Brien	Weil
Denney	Grimme	Kiernan	Patrie	Willard
Donohue	Gurnett	Knott	Pullman	Willmott
Dorst	Hamilton	Kornobis	Rozan	Yard

Those who voted in the negative were:

Adler	Gage	Malone	Schnirel	Sullivan
Allen	Gillett	Norton	Seaker	Sweet
Baxter	Grace	Pembleton	Seelye G T	Tallett
Birnhart	Hinman	Phillips	Shepardson	Vert
Bradley	Horton	Prime	Smith J A	Webb
Bryant	Knight	Richardson	Smith M	Wood
Edwards	Machold	Schaap	Smith T K	Yeomans
Fuller	Magee			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Knott offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on banks be discharged from the further consideration of Senate bill (No. 618, Rec. No. 91) entitled "An act to amend the Banking Law, in relation to closing a trust company."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Knott, and by unanimous consent, said bill was read the second time and ordered to a third reading.

The bill (No. 963, Int. No. 919) entitled "An act to amend the Banking Law, in relation to closing a trust company," having been announced for a second reading,

On motion of Mr. Knott, said bill was laid aside and ordered stricken from the calendar.

The Senate bill (No. 318, Rec. No. 24) entitled "An act to amend the Banking Law, in relation to oaths of trustees of savings banks, their qualification for a continuance in office and vacancies in the office of trustee," was read the second time.

On motion of Mr. Pollock, said bill was placed on the order of third reading.

The Senate bill (No. 317, Rec. No. 25) entitled "An act to amend the Banking Law, in relation to removal of trustees of savings banks," was read the second time.

On motion of Mr. Heyman, said bill was placed on the order of third reading.

On motion of Mr. Heyman, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deitz	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1309, Int. No. 1210) entitled "An act to amend the Banking Law, in relation to cumulative voting of stockholders at elections of bank directors," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1701, Int. No. 1532) entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,'" was read the second time.

On motion of Mr. Madden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 867, Int. No. 825) entitled "An act to amend

the Prison Law, in relation to the earnings of prisoners," having been announced for a second reading,

On motion of Mr. Madden, said bill was recommitted to the committee on penal institutions, retaining its place on the order of second reading.

The bill (No. 1206, Int. No. 1127) entitled "An act to amend chapter three hundred and seventy of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the public schools in the city of Elmira,' relating to deposits of school money with the city chamberlain," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1064, Int. No. 1012) entitled "An act to amend chapter five hundred and ninety-two of the Laws of nineteen hundred and ten, entitled 'An act in relation to the care and investment of the Adam Haverling school fund belong to Haverling union free school district number five, town of Bath, Steuben county, and repealing certain acts in relation thereto,' in relation to bond of treasurer of board of education of such free school district," was read the second time.

On motion of Mr. Brewster, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1143, Int. No. 1070) entitled "An act to amend the Military Law, in relation to the compensation of the major-general," having been announced for a second reading,

On motion of Mr. Bush, and by unanimous consent, said bill was ordered placed on the second reading calendar for Tuesday next.

The bill (No. 1463, Int. No. 1438) entitled "An act to amend the Military Law, in relation to the formation of associations by squadrons and troops," having been announced for a second reading,

On motion of Mr. Vert, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1464, Int. No. 1349) entitled "An act to amend the Military Law, in relation to armory employees," having been announced for a second reading,



On motion of Mr. Vert, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1465, Int. No. 1350) entitled "An act to amend the Military Law, in relation to uniforms," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1656, Int. No. 889) entitled "An act to amend the Greater New York charter, in relation to service of employees," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1466, Int. No. 1351) entitled "An act to amend the Poor Law, in relation to the relief of women nurses who served in the War of the Rebellion, the Spanish-American War or the War of the Philippine insurrection," having been announced for a second reading,

On motion of Mr. Carver, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1724, Int. No. 1551) entitled "An act to provide for the erection of a new vocational high school in the city of Syracuse," was read the second time.

On motion of Mr. Daley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1467, Int. No. 1352) entitled "An act to amend the Labor Law, in relation to hours of labor in mercantile establishments," was read the second time.

On motion of Mr. Daley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 311, Int. No. 307) entitled "An act to amend the Tax Law, in relation to payment of expenses in certiorari proceedings," was read the second time.

On motion of Mr. Emden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1386, Int. No. 1275) entitled "An act to amend the Greater New York charter, in relation to compensation for city employees during absence from duty occasioned by injuries received in the performance of duty," was read the second time.

On motion of Mr. Finnigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 64, Int. No. 64) entitled "An act to amend the Tax Law, in relation to the salaries of transfer tax clerks in the surrogate's court, Monroe county," was read the second time.

On motion of Mr. Gallup, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1649, Int. No. 1493) entitled "An act to authorize the board of trustees of the police pension fund of the city of Buffalo, in their discretion, to increase pensions heretofore granted to widows of former members of the police force," was read the second time.

On motion of Mr. Geoghan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1413, Int. No. 1303) entitled "An act transferring Hopkins street in the city of Buffalo from the jurisdiction and control of the common council to the jurisdiction and control of the park commissioners of said city," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1023, Int. No. 977) entitled "An act to amend the Education Law, in relation to school-record certificates," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1020, Int. No. 974) entitled "An act to amend the Labor Law, in relation to employment certificates," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1241, Int. No. 1157) entitled "An act to amend the Greater New York charter, in relation to the regulation and registration of journeyman plumbers," having been announced for a second reading,

On motion of Mr. Kerrigan, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1124, Int. No. 1051) entitled "An act to amend chapter four hundred and twenty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to amend the charter of the city of Poughkeepsie,' in relation to publishing ordinances and compensation of election officials," was read the second time.

On motion of Mr. J. A. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1002, Int. No. 956) entitled "An act to amend the Greater New York charter, in relation to an additional municipal court justice for the borough of Brooklyn," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1454, Int. No. 1343) entitled "An act to amend the Greater New York charter, in relation to providing for a relief and pension fund for the benefit of the members of the clerical, mechanical and uniform force of the bureau of street cleaning of the borough of Queens," was read the second time.

On motion of Mr. Kennedy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 888, Int. No. 846) entitled "An act to amend the Labor Law, in relation to the use of compressed air in caissons, tunnels, and other works, and laborers employed," was read the second time.

On motion of Mr. Kerrigan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1384, Int. No. 1273) entitled "An act to amend the Greater New York charter, in relation to the power of the board of aldermen to issue permits for the sale of newspapers and periodicals," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1297, Int. No. 1198) entitled "An act to promote the public health by amending the Labor Law, in relation to

labor of more than six days in any one week," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1673, Int. No. 1515) entitled "An act to amend chapter eight hundred and eighty-seven of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the board of aldermen of the city of New York to audit, allow and certify to the comptroller for payment, as charges against said city, the reasonable expenses for medical and surgical treatment and maintenance of the mayor or other officer or employee of the city of New York for gunshot wounds or personal injuries, and authorizing the comptroller to audit and pay such charges,' in relation to extending the provisions of such chapter to county and borough officers," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1672, Int. No. 1514) entitled "An act to amend the Greater New York charter, in relation to reports by the board of education," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1655, Int. No. 1499) entitled "An act to amend the Education Law, relative to the establishment and maintenance of temporary schools in camps and other places of temporary habitation," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1136, Int. No. 1063) entitled "An act to amend the Education Law, relative to geographic names," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1138, Int. No. 1065) entitled "An act to amend the Education Law, relative to the apportionment of school moneys by district superintendents of schools," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1139, Int. No. 1066) entitled "An act to amend the Educational Law, relative to aid for blind and deaf students in colleges and universities," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 517, Int. No. 506) entitled "An act to amend the Labor Law, in relation to mechanics working in State institutions," was read the second time.

On motion of Mr. McElligott, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 821, Rec. No. 95) entitled "An act to authorize the commissioners of the home of the city and town of Newburg to purchase lands adjoining the premises owned by them," was read the second time.

On motion of Mr. Doty, said bill was placed on the order of third reading.

The bill (No. 1498, Int. No. 1373) entitled "An act to amend the Greater New York charter, in relation to the registration of births not previously recorded," was read the second time.

On motion of Mr. Schifferdecker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1053, Int. No. 1001) entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' in relation to the police department and city officers," having been announced,

Mr. Wood moved to amend as follows:

Page 1, line 7, strike out bracket after the word "alderman-at-large".

Page 1, line 8, strike out bracket after word "commissioner-at-large".

Page 2, line 18, strike out bracket before the words "water commissioners".

Page 2, line 18, strike out bracket after the word "commissioner-at-large".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The Senate bill (No. 700, Rec. No. 107) entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' in relation to appropriation for hospital purposes," was read the second time.

On motion of Mr. Edwards, said bill was placed on the order of third reading.

The bill (No. 1249, Int. No. 1165) entitled "An act to amend section one of chapter four hundred and fifty-nine of the Laws of nineteen hundred and seven, entitled 'An act in relation to school district number six in the town of Lyons in Wayne county, and repealing various acts relating specially thereto,' in relation to the boundaries of said district and the alteration thereof," was read the second time.

On motion of Mr. Yeomans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1601, Int. No. 1444) entitled "An act to amend the Prison Law, in relation to pardons," was read the second time.

On motion of Mr. Hamilton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 894, Int. No. 825) entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle," having been announced,

Mr. Bovie moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 2, after the word "expenditures" insert the words "as an appropriation for the publicity board".

Page 2, line 5, after the word "city" strike out comma and insert a period, and strike out the balance of said line and all of lines 6, 7, 8, 9 and 10.

Page 2, line 21, after the word "appropriation" insert the words "for said year for the publicity board".

Page 2, line 25, after the word "city" strike out the comma and insert a period, and strike out the balance of said line and all of line 26.

Page 3, strike out lines 1, 2 3, 4 and 5, and insert in place thereof the following:

“ § 3. Section eighty-eight of chapter five hundred and fifty-nine of the laws of nineteen hundred and ten, entitled ‘An act to provide a charter for the city of New Rochelle,’ is hereby amended so as to read as follows:

“ § 88. Board of city development [.] : *Publicity board*. The mayor shall appoint a board, to be known as the board of city development, consisting of such landscape, architects, civil engineers and other persons as he may select, the members whereof shall serve without compensation and shall act in conjunction with the board of estimate and apportionment in devising, formulating and advocating plans for the comprehensive development and improvement of the streets, parks and public places. The mayor shall also appoint a board to be known as the ‘publicity board,’ consisting of three persons who shall serve without compensation and shall act in conjunction with the board of estimate and apportionment in formulating, advocating and carrying into effect such plans and measures as may be deemed advisable for the giving of publicity to the city of New Rochelle by means of advertising and otherwise. Their terms of office shall expire with the term of the mayor appointing them.

“ § 4. This act shall take effect immediately.”

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Caughlan, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1730, Int. No. 851) entitled “An act to amend charter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled ‘An act to provide a charter for the city of New Rochelle,’ in relation to the board of public works of the city of New Rochelle,” having been announced for a third reading,

On motion of Mr. Bovie, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1735, Int. No. 1118) entitled “An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled ‘An act to revise the charter of the city of Elmira,’ generally,” was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.



Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deitz	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1740, Int. No. 914) entitled "An act to amend the Agricultural Law, in relation to adulterated milk," having been announced for a third reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1733, Int. No. 305) entitled "An act to amend chapter seven hundred and fifty-three of the Laws of nineteen hundred and seven, entitled 'An act to incorporate the city of Port Jervis, in relation to the police force, its members and officers and the powers of the common council in relation thereto,'" was read the third time, having been printed and upon the desks



of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deits	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edward's	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1732, Int. No. 1309) entitled "An act to amend the Greater New York charter, in relation to tax liens," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deitz	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1527, Int. No. 573) entitled "An act to amend the General Business Law, in relation to establishing the standard of four-pound grape basket," having been announced,

Mr. Gillett moved that said bill be recommitted to the committee on general laws, with instructions to report the same forthwith amended as follows:

Page 1, line 7, after "basket" add "and the standard eight pound grape basket".

Page 2, line 3, strike out "The cubic contents shall be two and seven".

Line 4, strike out "sixteenths quarts".

Line 4, after "quarts" add "The standard eight pound grape basket shall be of the following dimensions: The bottom shall be four and three-fourth inches in width and twelve and one-fourth inches in length; the height shall be five and one-eighth inches; the outside of the top shall be six and one-half inches in width and fourteen and one-half inches in length, requiring a cover of six and one half by fourteen and one-half inches."

Line 7, strike out "A varia-".

Line 8, strike out "tion of three per centum of the capacity specified shall be allowed".

Line 11, after "basket" add "or the standard eight pound grape basket".

Line 12, strike out "or cubic contents".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McElligott, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1706, Int. No. 510) entitled "An act to amend the Labor Law, in relation to the clean, sanitary and safe condition of factory buildings," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deitz	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1705, Int. No. 973) entitled "An act to amend the Labor Law, in relation to the protection of employees operating machinery, dust-creating machinery, and the lighting of factories and workrooms," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deitz	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 883, Int. No. 841) entitled "An act to amend the Code of Criminal Procedure, in relation to deposit instead of bail," having been announced for a third reading,

On motion of Mr. Hamilton, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 895, Int. No. 853) entitled "An act to amend the Code of Civil Procedure, in relation to final orders upon an application for the discharge of a person imprisoned or restrained in his liberty," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 544, Int. No. 530) entitled "An act to amend the Code of Civil Procedure, in relation to the compensation of constables, deputy sheriffs and jurors," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 130

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Hover	McCue	Silverstein
Allen	Emden	Hughes	McDaniels	Smith J A
Baxter	Esquirol	Ingram	McElligott	Smith M
Benninger	Evans	Jackson	McGrath	Smith T K
Bovie	Farrell	Jude	McKee	Squire
Bradley	Finnigan	Kane	McKeon	Sufrin
Bryant	Fitzgerald	Kelly J A	McMahon	Sullivan
Bush	Fuller	Kelly J J	Monahan	Sutphin
Butts	Gage	Kelly J D	Norton	Sweet
Campbell	Gallup	Kelly P J	O'Brien	Tallett
Carroll	Gathright	Kenney	Pappert	Taylor F J
Carver	Geoghan	Kennedy	Patrie	Taylor T D
Caughlan	Geyer	Kerrigan	Pembleton	Telford
Cole	Gibbs	Kiernan	Phillips	Tudor
Cotillo	Gillett	Knight	Prime	Ulrich
Cronin	Goldberg	Knott	Pullman	Van Woert
Cuvillier	Grace	Kornobis	Richardson	Vert
Daley	Greenberg A	Larrimer	Rozan	Walker
Deitz	Grimme	Levy	Schaap	Ward
Dennen	Gurnett	Lewis	Schifferdecker	Webb
Denney	Hamilton	Machold	Schnirel	Weil
Donohue	Hammer	Madden	Schwarz	Willard
Dorst	Hearn	Magee	Seaker	Willmott
Doty	Heyman	Malone	Seely J L	Wood
Dox	Hinman	Maloney	Seelye G T	Yard
Edwards	Horton	McCollum	Shepardson	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Evans offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 194, Int. No. 191), entitled "An act to amend the Town Law, in relation to licensing public vehicles and entertainments," for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

IN SENATE, ALBANY, *March 12, 1913.*

Resolved (if the Assembly concur), That at the hour of twelve o'clock noon on Wednesday, March 19th, the Senate and Assembly meet in joint convention as provided by law for the purpose of comparing nominations for the office of Regent of the University to fill the vacancy caused by the death of Daniel Beach of the village of Watkins, county of Schuyler, Sixth Judicial District, whose term of office would have expired April 1, 1919.

By order of the Senate,

PATRICK E. MCCABE,  
*Clerk.*

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1274, Int. No. 835) entitled "An act to amend the Town Law, in relation to fees of officers in criminal proceedings."

Also, the bill (No. 200, Int. No. 197) entitled "An act to amend the Code of Civil Procedure, in relation to undertakings."

Also, the bill (No. 525, Int. No. 514) entitled "An act to amend the Labor Law, in relation to protecting the health and morals of females employed in factories by providing an adequate period of rest at night."

Also, the bill (No. 513, Int. No. 502) entitled "An act to

incorporate The Ministers and Missionaries Benefit Board of the Northern Baptist Convention."

Also, the bill (No. 165, Int. No. 162) entitled "An act to amend chapter seven of the Laws of nineteen hundred and four, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Norwich, and to repeal certain acts and parts of acts,' in relation to lighting contracts in such village and payments thereon."

Also, the bill (No. 377, Int. No. 373) entitled "An act to repeal chapter five hundred and sixty-five of the Laws of nineteen hundred and ten, entitled 'An act to authorize the town board and the superintendent of highways of the town of Wales, in the county of Erie, to cancel the assessment for the improvement of the Big Tree road in said town of Wales, and to refund all moneys heretofore paid upon said rolls.'"

Also, the bill (No. 927, Int. No. 884) entitled "An act to amend the Code of Civil Procedure, in relation to discovery of books and papers by photographing the same," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 254, Int. No. 250) entitled "An act to permit the common council of the city of Oneonta to vote extra compensation to the chamberlain, commissioner of charities and assessors, of such city for the year nineteen hundred and thirteen," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Oneonta.

Also, the bill (No. 487, Int. No. 482) entitled "An act to amend the Greater New York charter, in relation to vacations of employees," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 1122, Int. No. 862) entitled "An act to amend chapter seven hundred and ten of the Laws of eighteen hundred and ninety-five, entitled 'An act to establish the

office of the comptroller of the city of Mount Vernon,' as amended by chapter sixty-nine of the Laws of nineteen hundred and one, as amended by chapter seventy-six of the Laws of nineteen hundred and ten, in relation to his annual report," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

Also, the bill (No. 1273, Int. No. 839) entitled "An act to amend the Greater New York charter, in relation to proceedings for street openings," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Also, the bill (No. 1343, Int. No. 457) entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' generally, and abolishing the office of ward collector," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

Also, the bill (No. 907, Int. No. 864) entitled "An act to amend chapter eighty-seven of the Laws of nineteen hundred and five, entitled 'An act to authorize the city of Mount Vernon to borrow money by the issue of bonds, for the purpose of purchasing sites and erecting buildings for the use of the fire and police departments, and to provide a sinking fund to pay principal and interest of said bonds,' in relation to the amount of such bonds," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

Also, the bill (No. 785, Int. No. 756) entitled "An act to amend chapter two hundred and thirty-nine of the Laws of eighteen hundred and fifty-nine, entitled 'An act in relation to Grosvenor library of the city of Buffalo,' as amended by chapter one hundred and sixty of the Laws of eighteen hundred and



sixty-one, and chapter three hundred and thirty-three of the Laws of nineteen hundred and eight, in relation to the powers of the trustees of said library," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, the bill (No. 969, Int. No. 925) entitled "An act to authorize the city of Buffalo and the county of Erie to provide by agreement or otherwise for the transfer and conveyance of the city and county hall in said city, and the site on which it stands, and the acquisition of lands and construction of buildings for county and courthouse purposes or for city purposes; or for the improvement, enlargement or reconstruction of said city and county hall," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

Also, the bill (No. 1118, Int. No. 308) entitled "An act to amend chapter eighteen of the Laws of eighteen hundred and sixty-two, entitled 'An act to revise the charter of the city of Utica,' relative to local improvements," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

The Senate returned the bill (No. 341, Int. No. 337) entitled "An act to legalize, ratify and confirm the proceedings had and taken by the village of Liberty in the county of Sullivan, its trustees, officers, servants and electors, in the matter of the issuance of the bonds and obligations of said village for the improvement of Main street in said village in conjunction with the construction of state highway route number four through said village, and to provide for the issuance, sale and payment of such bonds and obligations."

Also, the bill (No. 536, Int. No. 522) entitled "An act to amend the Town Law, in relation to the limitation of indebtedness of certain towns."

Also, the bill (No. 924, Int. No. 881) entitled "An act to provide for existing deficit in funds available for support of the

military establishment of the State, and making an appropriation therefor."

Also, the bill (No. 843, Int. No. 801) entitled "An act making an appropriation for the expenses incident to the proceeding entitled 'The People of the State of New York, ex rel. Mary C. Thaw, against John W. Russell, medical superintendent of Matteawan State Hospital.'"

Also, the bill (No. 300, Int. No. 296) entitled "An act to amend the Insurance Law, in relation to the capital of title credit guaranty and securities guaranty corporations," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 194, Int. No. 191) entitled "An act to amend the Town Law, in relation to licensing public vehicles and entertainments," with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The privileges of the floor were extended to Hon. Jacob A. Cantor.

On motion of Mr. Levy, the House adjourned.

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FRIDAY, MARCH 14, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Charles W. Leitzell.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Campbell introduced a bill entitled "An act to amend the Penal Law, in relation to public traffic on Sunday" (Int. No. 1723), which was read the first time and referred to the committee on codes.

Mr. Carroll introduced a bill entitled "An act to amend the Real Property Law, in relation to trusts of real property" (Int. No. 1724), which was read the first time and referred to the committee on the judiciary.

Also, "An act to amend the Greater New York charter, in relation to contracts for supplies for the College of the city of New York" (Int. No. 1725), which was read the first time and referred to the committee on affairs of cities.

Mr. Cuvillier introduced a bill entitled "An act to amend the Military Law, in relation to the quartermaster's subsistence and pay departments and creating a quartermaster corps" (Int. No. 1726), which was read the first time and referred to the committee on military affairs.

Also, "An act to amend the Military Law, in relation to allowances for brigade headquarters in certain counties" (Int. No. 1727), which was read the first time and referred to the committee on military affairs.

Mr. Doty introduced a bill entitled "An act to amend the Liquor Tax Law, in relation to special deputy commissioner in the county of Orange" (Int. No. 1728), which was read the first time and referred to the committee on excise.

Mr. Gibbs introduced a bill entitled "An act to amend the Highway Law, in relation to damages for change of grade" (Int. No. 1729), which was read the first time and referred to the committee on internal affairs.

Mr. Grace introduced a bill entitled "An act to amend chapter ninety-three of the Laws of nineteen hundred and six, entitled 'An act to make the office of the county clerk of Cayuga county a salaried office, and regulating the management of said office,' in relation to moneys allowed for expenses in connection with the recording tax on mortgages" (Int. No. 1730), which was read the first time and referred to the committee on internal affairs.

Mr. J. A. Kelly introduced a bill entitled "An act in relation to the board of trustees of foreign parishes of the Protestant Episcopal church in the United States of America" (Int. No. 1731), which was read the first time and referred to the committee on the judiciary.

Mr. J. D. Kelly introduced a bill entitled "An act to amend

the Judiciary Law, in relation to the court of special sessions in the city of New York" (Int. No. 1732), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the General Business Law, in relation to the practice of architecture" (Int. No. 1733), which was read the first time and referred to the committee on general laws.

Mr. Kennedy introduced a bill entitled "An act to amend the Greater New York charter, in relation to vacations of employees" (Int. No. 1734), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Greater New York charter, in relation to the salaries of the commissioners of accounts" (Int. No. 1735), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Code of Civil Procedure, in relation to evidence in actions and proceedings involving title to real property" (Int. No. 1736), which was read the first time and referred to the committee on codes.

Mr. Sullivan introduced a bill entitled "An act to amend the Judiciary Law, in relation to the compensation of the deputy clerk of the Appellate Division, fourth department" (Int. No. 1737), which was read the first time and referred to the committee on the judiciary.

Mr. Schwarz introduced a bill entitled "An act in relation to the board of supervisors of Rensselaer county, authorizing the said board of supervisors to ascertain, determine, audit, allow and pay the claims of certain court attendants, jail officials and jail employees employed by the board of supervisors of Rensselaer county during the year nineteen hundred and eleven" (Int. No. 1738), which was read the first time and referred to the committee on internal affairs.

Mr. Telford introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to additional compensation of stenographers in surrogates' court, other than New York, Kings, Hamilton, Queens, Richmond, and Erie counties" (Int. No. 1739), which was read the first time and referred to the committee on codes.

Also, "An act to amend the County Law, in relation to tuberculosis hospitals" (Int. No. 1740), which was read the first time and referred to the committee on internal affairs.

Mr. Walker introduced a bill entitled "An act to amend the Inferior Criminal Courts Act of the City of New York, in relation to salaries of certain officers and employees of the city magistrates' courts, giving the boards of city magistrates of the first and second divisions of said city the power to fix the salaries of such officers and employees" (Int. No. 1741), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Insurance Law, generally" (Int. No. 1742), which was read the first time and referred to the committee on insurance.

Mr. Yard introduced a bill entitled "An act authorizing and empowering the Commissioners of the Land Office to grant to the president and trustees of the village of Tarrytown all the interest of this State in and to certain lands under the waters of the Hudson river for the purpose of a public park" (Int. No. 1743), which was read the first time and referred to the committee on ways and means.

Mr. Machold introduced a bill entitled "An act to amend the Conservation Law, in relation to taking fish with nets" (Int. No. 1744), which was read the first time and referred to the committee on conservation.

Mr. Caughlan introduced a bill entitled "An act to revise the charter of the city of Cohoes" (Int. No. 1745), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. T. D. Taylor, the committee on revision was instructed to report Assembly bill (No. 1471, Int. No. 1307), entitled "An act to revise the charter of the city of Rensselaer" with the following recommendations:

Page 5, line 21, after word "degrees" strike out comma.

Page 8, line 26, change word "runs" to "running".

Page 11, line 8, before words "joint stock" insert quotation marks.

Page 16, line 23, after letters "lars" insert word "each".

Page 19, line 26, add "s" to word "office".

Page 20, line 2, after "taxpayers" add an apostrophe "'".

Page 32, line 21, make line 21 line 23.

Page 55, line 8, after word "week" insert words "for two successive weeks."

Page 55, line 9, after word "conflagration" insert comma.

Page 79, line 12, strike out words "before him" after "sworn".

Page 87, line 5, after word "light" insert "and".

Pages 104-5, section 155 is amended to read as follows:

"§ 155. Water and gas mains: telephone and electric light wires. Whenever the common council shall finally determine to pave or repave any street or portion of a street and the water mains are not at said time laid in said street or the portion thereof so determined to be so improved, the common council shall have power to require and compel any water works company, or the owner of any water works having their mains laid in any of the streets of the said city, to lay their mains in and along the street, or portion of a street so finally determined by said common council to be improved as aforesaid, within such limits, of such size not exceeding the size of the adjoining pipes, in such manner, and in such place and within such time as the board of contract and supply shall determine, and may serve written, typewritten or printed notice thereof accordingly, upon such water works company, or upon such owner of water mains hereinbefore specified, to so lay or extend its or their mains in and along said street or portion thereof, so finally determined to be improved as aforesaid. And in case of neglect or refusal of such water works company, or such owners of water mains as aforesaid, to lay said mains in said street or such portion thereof as directed by said common council, and within the time and in the manner so ordered and directed by said common council, the board of contract and supply shall have the power to lay and complete the same, and the actual cost and expense incurred in doing the same shall be a valid charge and claim by the city of Rensselaer against said company, or said owner of mains as aforesaid, neglecting or refusing to so lay and complete the same, and for which said city may maintain an action against said company or owner aforesaid, and such cost and expense shall be a lien and assessed against and collected from such company or owner in the same manner as the expense or repairing sidewalks is collected and enforced as herein provided. The right to order and require any water company or owner of mains in any of the streets of the said city to lay its mains or pipes in a street or a portion thereof so determined to be improved as aforesaid by the common council, shall include the right to order the laying of lateral service pipes connected therewith, opposite each separate piece of property as directed by said board of contract

and supply to a point or points within the curb line or lines opposite thereto by said water company, or the owners of water mains in the streets of said city, including the right of said board of contract and supply to lay and connect the same on notice to and default of said water company, and with the same liability of such company, or owner, and the same right and remedy by the city of Rensselaer against the said company, or owner, for the recovery of the actual cost and expense thereof as arises in case of water mains.

“Whenever the common council shall finally determine to pave or re-pave any street, or portion of a street, in which gas mains are not at said time laid, the common council may cause to be served, written, typewritten or printed notice of its intention to pave or repave such street, or portion thereof, upon said gas light company, or owner of gas mains, having mains laid in any of the streets of said city contiguous to the street so intended to be improved, and notifying said gas company, or owner of gas mains, as aforesaid, to extend its mains throughout the portion of the street to be improved and to lay lateral service pipes connected therewith opposite each separate piece of property on said street, or portion thereof, so to be improved, to a point or points within the curb line or lines opposite thereto.

“If such gas company or owner of gas mains, shall fail to extend its gas mains within a reasonable time to be fixed by said common council in said notice, to date from the service of such notice, such gas company, or owner of such gas mains, so required to be extended, shall not be permitted thereafter to lay its mains in the highway portion of the street so paved or re-paved, but shall only be permitted thereafter to lay its mains under the sidewalks of the street so paved or re-paved.”

Page 118, line 1, change section number “18” to “186”.

Page 207, line 21, change word “rate” to “date”.

Page 214, line 24, make line 24 line 26.

Page 214, lines 24-25, make lines 25 and 26 lines 24 and 25.

Page 226, line 8, after word “the” correct spelling of the word “assessment” by inserting an “e” after the first “ss”.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill introduced by Mr. Deitz (No. 850, Int. No. 808), entitled “An act to repeal chapter eight hundred and three of the Laws of eighteen hundred and ninety-six, entitled ‘An act in relation to plumbing in the city of New York.’”

Also, Assembly bill introduced by Mr. Deitz (No. 848, Int. No. 806), entitled “An act to amend the Greater New York



charter, in relation to the regulation and registration of plumbers."

Also, Assembly bill introduced by Mr. Deitz (No. 849, Int. No. 807), entitled "An act to amend the General City Law, in relation to plumbing in the city of New York."

Also, Assembly bill introduced by Mr. Caughlan (No. 1709, Int. No. 1536), entitled "An act to amend the Greater New York charter, in relation to play-grounds."

Also, Assembly bill introduced by Mr. McGrath (No. 1693, Int. No. 1524), entitled "An act to amend the Greater New York charter, relative to the acquisition of wharf property by the city of New York."

Also, Assembly bill introduced by Mr. Larrimer (No. 1690, Int. No. 1521), entitled "An act to amend the Greater New York charter, in relation to the transfer of jurisdiction and control of streets."

Also, Assembly bill introduced by Mr. Bush (No. 490, Int. No. 485), entitled "An act to establish and maintain a water department in and for the city of Elmira."

Also, Assembly bill introduced by Mr. McKee (No. 1212, Int. No. 1133), entitled "An act to amend the Greater New York charter, in relation to changing grades of schools and classes by the board of education."

Also, Assembly bill introduced by Mr. Burr (No. 470, Int. No. 465), entitled "An act to amend the Greater New York charter, in relation to fire department pilots."

Also, Assembly bill introduced by Mr. Tudor (No. 1494, Int. No. 1369), entitled "An act authorizing the fire commissioner of the city of New York to retire, with pay, employees in the division of combustibles of the bureau of fire prevention injured while engaged in the actual performance of duty."

Also, Assembly bill introduced by Mr. Emden (No. 757, Int. No. 730), entitled "An act to amend chapter six hundred and fifty-nine of the Laws of eighteen hundred and sixty-five, entitled 'An act in relation to the collection of taxes in the city of Utica.'"

Also, Assembly bill introduced by Mr. Deitz (No. 847, Int. No. 805), entitled "An act to amend the Greater New York charter, in relation to the examining board of plumbers of such



city," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was recommitted Assembly bill introduced by Mr. McKee (No. 1684, Int. No. 1135), entitled "An act to amend the Greater New York charter, in relation to powers of investigation by the president of the board of education."

Also, recommitted Assembly bill introduced by Mr. McKee (No. 1683, Int. No. 1134), entitled "An act to amend the Greater New York charter, in relation to changing conditions annexed to salary schedules approved by the board of education."

Also, recommitted Assembly bill introduced by Mr. McKee (No. 1685, Int. No. 1132), entitled "An act to amend the Greater New York charter, in relation to the board of education," reported in favor of the passage of the same without amendment, which report was agreed to, and said bills placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 1678, Int. No. 1422) introduced by Mr. Schnirel, entitled "An act to incorporate the city of Canandaigua," reported in favor of the passage of the same, with the following amendments:

Page 12, at end of line 3, insert "The common council shall have the power to fix and change the salaries of all officers of the city, including such as are fixed by this act, except such as are otherwise provided by law, and except as provided in title seven of this act, but every such salary, except for the year nineteen hundred and thirteen, shall be fixed by resolution at least four months before the beginning of the term of office to which it belongs, and shall not be increased or diminished during the continuance of such term of office. Every resolution fixing or changing a salary shall be published after its introduction and before being finally acted upon, in one or more newspapers in the city once a week for four successive weeks. The common council shall not have the power to provide for any salary or compensation whatsoever for any officer who by the provisions of this act is required to serve without pay."

Page 15, line 25, strike out beginning with the word "Each" down to and including line 27.

Page 16, line 26, strike out "the common council" and insert "this act," and before the word "law" insert "the general".

Page 17, line 8, strike out final "s" of "officers".

Line 10, strike out final "s" of "investigations".

Page 28, line 5, add "s" to the word "money", also add "s" to the word "warrant".

Page 29, line 7, strike out "may".

Page 49, line 20, strike out "corporation".

Page 50, line 7, strike out ";" and insert ", stating".

Line 17, strike out "or other".

Page 52, strike out lines 1 to 5, inclusive, and insert 'been issued in triplicate by the purchasing committee which consist of three members, the mayor, the chairman of the board of public works and the chairman of the board of health and public safety, directing such expenditure, with the items and amount thereof, and the original filed with the mayor and a carbon copy thereof attached to such account or claim, before its presentation to said common council, and a carbon copy thereof filed with the city treasurer, which said requisition shall be signed by the mayor and at least one other member of said committee.'

Page 56, line 11, after "charge" insert "of".

Page 67, line 18, at end of line, insert "This section shall not apply to improvements in the water works system, street or other lighting, parks, cemeteries, public buildings or sewers and drains."

Page 68, line 18, insert ",", after "council".

Page 83, line 25, strike out "executing" and insert "execution" and add "y" to the word "deliver".

Page 84, line 1, strike out "ing", after "city" insert "of" and strike out "surety" and insert "bond".

Page 85, line 14, strike out "for" and after "light" insert "therefor".

Line 17, strike out "with" and insert "for, and have".

Page 89, line 10, strike out final "s" of "associations".

Page 111, strike out lines 10 to 26, inclusive, and insert:

"§ 158. Compensation, manner of payment; actual expenses paid in certain cases; vacations. The pay of said policemen and special policemen shall be fixed by said board of health and public safety, subject to the approval of the common council and when so fixed shall not thereafter be changed except after notice given as provided in section fourteen, title 11 of this act.

"The salaries of such policemen shall be paid monthly upon the warrant of the common council, drawn upon the city treasurer, and the money to pay the same and the money to pay said special policemen shall be taken from the fund which is designated as police fund; whenever there shall not be sufficient money to the credit

of that fund, with which to pay such salary, then and in that case, the ”.

Page 114, line 12, strike out “ Miscellaneous provisions ” and insert “ Taxes limited to one per centum assessed value ”.

Page 118, strike out lines 17 to 26, inclusive, and also all of page 119 and insert:

“ 2. The payment of expenses of a police department including the salary of the city judge and the salary of the officers of the said department, to be designated the ‘ Police Fund ’.

“ 3. For paying the expense of paving streets and curbing gutters pursuant to this act and for repairing and keeping in order the streets, highways, alleys, cross-walks, parks, play grounds, and other public places, lands and squares of the city; for cleaning snow and ice from the walks; for defraying the salary and expenses of the superintendent of public works, his assistants and employees, the erection and maintainance of bridges and culverts and other expenses relating to the streets and highways to be designated the ‘ Highway Fund.’

“ 4. A sum necessary to defray the payment of the general and contingent expenses of the city at large, the expenses of elections and for the payment of all salaries and wages of officers and servants of the city, and other sums not otherwise provided for, which with all of the moneys received by the city treasurer, not belonging to any other fund specified by this act, shall be kept as a separate fund, to be designated the ‘ Contingent Fund.’

“ 5. For defraying the expenses of repairing and keeping in order the sewers and defraying the cost of constructing sewers and for the services of engineers employed therefor by the city, to be designated as the ‘ Sewer Fund.’

“ 6. A sum necessary for defraying the expenses of the fire department to be designated the ‘ Fire Fund.’

“ 7. A sum necessary for lighting the streets and public buildings and places of the city and the expenses of maintaining all necessary apparatus and fixtures connected therewith, to be designated the ‘ Lighting Fund.’

“ 8. A sum necessary to meet the principal and interest falling due during the fiscal year, for which the tax is levied upon the bonds or other permanent debt of the city, to be designated the ‘ Public Debt Fund.’

“ 9. A sum necessary for defraying the expenses of the board of health and public safety, and the expenses of enforcing the public health law rules, regulations and ordinances of said board and other matters within said board’s jurisdiction as provided by this act, to be designated the ‘ Public Health Fund.’ ”

Page 120, strike out lines 1 to 7, inclusive. Line 13, capitalize “ s ” in “ special ”.

Line 14, capitalize " f " in " fund ".

Page 129, line 18, strike out " execution " and insert " action ".

Page 135, strike out semi-colon after word " assigns " in line 1.  
Line 21, strike out " clerk " and insert " treasurer ".

Page 143, line 25, strike out " chamberlain " and insert " treasurer ".

Page 144, line 11, capitalize " a " of " acting " and " c " of " city ". Line 12, capitalize " j " of " judge ".

Page 148, strike out lines 14 to 17, inclusive. Line 18, strike out " m " and insert " l ".

Line 22, strike out " n " and insert " m ".

Page 159, line 6, strike out " taxes " and insert " taxed ".

Page 160, line 8, strike out " larger " and insert " longer ".

Page 164, line 5, after " of " insert " special ". Line 13, after " of " insert " special ".

Page 169, line 7, strike out " for " and insert " from ".

Page 170, line 5, strike out " general ". Line 6, after " city ", first occurring, insert " contingent ".

Page 171, strike out line 16. Line 17, strike out " 47 ", insert " 246 ". Line 18, strike out " 248 ", insert " 247 ". Line 19, strike out " 249 ", insert " 248 ". Line 20, strike out " 250 ", insert " 249 ". Line 21, strike out " 251 ", insert " 250 ". Line 22, strike out " 252 ", insert " 251 ".

Page 173, line 6, strike out " general ". Line 7, after " city ", insert " contingent ".

Page 182, strike out lines 1 to 7, inclusive. Line 8, strike out " 247 " and insert " 246 ". Line 21, strike out " 248 " and insert " 247 ". Line 21, insert a comma at end of line.

Page 183, line 3, strike out " 249 ", insert " 248 ". Line 5, strike out " 250 ", insert " 249 ". Line 11, strike out " 251 ", insert " 250 ". Line 12, strike out " 252 ", insert " 251 ".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 1555, Int. No. 1412) introduced by Mr. Ward, entitled "An act to amend the Greater New York charter, in relation to the board of examiners of the bureau of buildings," reported in favor of the passage of the same, with the following amendments:

Page 2, line 23, after the word " of " insert the following in italics: " the chief of the fire department of the city of New York and the following ".

Page 3, line 7, insert a bracket before the word "and".

Page 3, line 8, insert a bracket after the word "York".

Page 3, line 11, insert a bracket before the word "presiding" and after the word "officer", and insert after the word "officer" in italics the word "president".

Page 3, line 15, after the word "meet" insert in italics the words "at least".

Page 3, line 23, after the word "employees" insert in italics the words "as may be necessary". After the word "salaries" insert in italics the words "which shall be".

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Caughlan, from the committee on affairs of cities, to which was referred Assembly bill (No. 878, Int. No. 836) introduced by Mr. Caughlan, entitled "An act to amend the Greater New York charter, in relation to the retirement of civil employees from active service," reported in favor of the passage of the same, with the following amendments:

Page 2, lines 7 and 8, strike out "constitute" and insert in place thereof "constituting".

Page 2, line 8, after "charter" strike out "and".

Page 2, line 18, after "system" insert "or systems".

Page 2, line 21, after "fund" insert "or funds".

Page 2, line 22, strike out "," and insert in place thereof ";" strike out "the fund to be known as the 'civil employees'".

Page 2, line 23, strike out "retirement fund of the city of New York,".

Page 2, line 25, after "fund" insert "or funds".

Page 3, line 7, strike out "the sum of two thousand".

Page 3, line 8, strike out "dollars per annum, nor".

Page 4, line 9, after "prescribe" insert "and amend".

Page 4, line 11, after "any," insert "the payment or payments to employees separated from the service prior to becoming entitled to retiring allowances".

Page 4, after line 13, insert "§ 168. All resolutions of the board of estimate and apportionment establishing or amending the systems of retiring allowances authorized by this act shall be published for two consecutive weeks in the City Record before adoption."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Evans, from the committee on internal affairs, to which was referred Assembly bill introduced by Mr. Bovie (No. 1532, Int. No. 1389), entitled "An act to amend the Town Law, in regard to the constitution and regular meeting of the town board," reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Walker, from the committee on insurance, to which was referred Assembly bill (No. 1360, Int. No. 1256), introduced by Mr. Walker, entitled "An act to amend the Insurance Law, in relation to reports by insurance companies of fire losses to the State Fire Marshal," reported in favor of the passage of the same, with the following amendments:

On page 2, strike out lines 23, 24, 25, 26 and on page 3, strike out lines 1 to 10, both inclusive.

Insert instead thereof the following: "Every fire insurance company transacting business in this State is hereby required to report to the State Fire Marshal, through the secretary or other officer of the company designated by the board of directors for that purpose, all losses on property within this State, insured in such company, giving the date and location of fire, the amount of probable loss, the character of property destroyed or damaged, and the supposed cause of the fire. Such reports shall be mailed to the State Fire Marshal on or before the tenth day of each month as to all fires of which notice was received during the preceding month, and shall include either in the first or subsequent monthly report, the amount of loss as adjusted. Provided, that in all cases where such company received evidence or information indicating that any fire was of incendiary origin, report of such fire and of such evidence or information shall be immediately mailed to the State Fire Marshal. Such reports shall be in addition to and not in lieu of any report or reports such companies may be required to make by any law of the State to the Superintendent of Insurance or other State officer."

which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Taylor (No. 1471, Int. No. 1307), entitled "An act to revise the charter of the city of Rensselaer," reported the same with the following recommendations:



Page 5, line 21, after word "degrees" strike out comma.

Page 8, line 26, change word "runs" to "running".

Page 11, line 8, before "joint stock" insert quotation marks.

Page 16, line 23, after letters "lars" insert word "each."

Page 19, line 26, add "s" to word "office".

Page 20, line 2, after "taxpayers" add an apostrophe "'".

Page 32, line 21, make line 21 line 23.

Page 55, line 8, after word "week" insert words "for two successive weeks."

Page 55, line 9, after word "conflagration" insert comma.

Page 79, line 12, strike out words "before him" after "sworn."

Page 87, line 5, after word "light" insert "and."

Pages 104-5. Section 155 is amended to read as follows:

"§ 155. Water and gas mains: telephone and electric light wires. Whenever the common council shall finally determine to pave or repave any street or portion of a street and the water mains are not at said time laid in said street or the portion thereof so determined to be so improved, the common council shall have power to require and compel any water works company, or the owner of any water works having their mains laid in any of the streets of the said city, to lay their mains in and along the street, or portion of a street so finally determined by said common council to be improved as aforesaid, within such limits, of such size not exceeding the size of the adjoining pipes, in such manner, and in such place and within such time as the board of contract and supply shall determine, and may serve written, typewritten or printed notice thereof accordingly, upon such water works company, or upon such owner of water mains hereinbefore specified, to so lay or extend its or their mains in and along said street or portion thereof, so finally determined to be improved as aforesaid. And in case of neglect or refusal of such water works company, or such owners of water mains as aforesaid, to lay said mains in said street or such portion thereof as directed by said common council, and within the time and in the manner so ordered and directed by said common council, the board of contract and supply shall have the power to lay and complete the same, and the actual cost and expense incurred in doing the same shall be a valid charge and claim by the city of Rensselaer against said company, or said owner of mains as aforesaid, neglecting or refusing to so lay and complete the same, and for which said city may maintain an action against said company or owner aforesaid, and such cost and expense shall be a lien and assessed against and collected from such company or owner in the same manner as the expense of repairing sidewalks is collected and enforced as herein provided. The right to order and require any water company or owner of mains in

any of the streets of the said city to lay its mains or pipes in a street or a portion thereof so determined to be improved as aforesaid by the common council, shall include the right to order the laying of lateral service pipes connected therewith, opposite each separate piece of property as directed by said board of contract and supply to a point or points within the curb line or lines opposite thereto by said water company, or the owners of water mains in the streets of said city, including the right of said board of contract and supply to lay and connect the same on notice to and default of said water company, and with the same liability of such company, or owner, and the same right and remedy by the city of Rensselaer against the said company, or owner, for the recovery of the actual cost and expense thereof as arises in case of water mains.

“ Whenever the common council shall finally determine to pave or re-pave any street, or portion of a street, in which gas mains are not at said time laid, the common council may cause to be served, written, typewritten or printed notice of its intention to pave or re-pave such street, or portion thereof, upon said gas light company, or owner of gas mains, having mains laid in any of the streets of said city contiguous to the street so intended to be improved, and notifying said gas company, or owner of gas mains, as aforesaid, to extend its mains throughout the portion of the street to be improved and to lay lateral service pipes connected therewith opposite each separate piece of property on said street, or portion thereof, so to be improved, to a point or points within the curb line or lines opposite thereto.

“ If such gas company, or owner of gas mains, shall fail to extend its gas mains within a reasonable time to be fixed by said common council in said notice, to date from the service of such notice, such gas company, or owner of such gas mains, so required to be extended, shall not be permitted thereafter to lay its mains in the highway portion of the street so paved or re-paved, but shall only be permitted thereafter to lay its mains under the sidewalks of the street so paved or re-paved.”

Page 118, line 1, change section number “ 18 ” to “ 186 ”.

Page 207, line 21 change word “ rate ” to “ date.”

Page 214, line 24, make line 24 line 26.

Page 214, lines 24-25. Make lines 25 and 26 lines 24 and 25.

Page 226, line 8, after word “ the ” correct spelling of the word “ assessment ” by inserting an “ e ” after the first “ ss ”.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

The bill (No. 1394, Int. No. 1284) entitled “An act to amend



the Religious Corporations Law, in relation to the number of trustees of Baptist churches," was read the second time.

On motion of Mr. Adler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 978, Int. No. 934) entitled "An act to provide for the removal and reinterment of bodies in a cemetery in the town of Bolton in Warren county," was read the second time.

On motion of Mr. Brereton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1741, Int. No. 1178) entitled "An act to amend the Inferior Criminal Courts Act of the City of New York in relation to the city magistrates' courts," was read the second time.

On motion of Mr. Goldberg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1349, Int. No. 1245) entitled "An act to amend the Insurance Law, in relation to excusing persons from testifying upon any investigation, proceeding or inquiry before the State Fire Marshal," was read the second time.

On motion of Mr. Kane, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1352, Int. No. 1248) entitled "An act to amend the Insurance Law, in relation to reports of assistants to the State Fire Marshal," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1542, Int. No. 1399) entitled "An act to amend the Insurance Law, in relation to transportation of explosives," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1068, Int. No. 1016) entitled "An act to amend the Banking Law, in relation to the organization and regulation of exchange corporations," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1067, Int. No. 1015) entitled "An act to amend the Penal Law, in relation to discriminations by exchanges or the members thereof," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1066, Int. No. 1014) entitled "An act to amend the Penal Law, in relation to the delivery to customers of memoranda of transactions by brokers," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 866, Int. No. 824) entitled "An act to amend the Penal Law, in relation to trading by brokers against customers' orders," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 865, Int. No. 823) entitled "An act to amend the Penal Law, in relation to reporting or publishing fictitious transactions in securities," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 859, Int. No. 817) entitled "An act to amend the Penal Law, in relation to transactions by brokers after insolvency and in the hypothecation of customers' securities," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 861, Int. No. 819) entitled "An act to amend the Penal Law, in relation to bucket shops," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill

was ordered placed on the second reading calendar for Monday next.

The bill (No. 860, Int. No. 818) entitled "An act to amend the Penal Law, in relation to false representations concerning securities," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1196, Int. No. 1117) entitled "An act to amend the Penal Law, in relation to guard posts," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1355, Int. No. 1251) entitled "An act to amend the Insurance Law, in relation to inspections of premises by assistants to the State Fire Marshal," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1680, Int. No. 666) entitled "An act to amend the Penal Law, in relation to the sale or possession of cocaine or eucaine," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1362, Int. No. 1258) entitled "An act to amend the Insurance Law, in relation to service of orders made by the State Fire Marshal," was read the second time.

On motion of Mr. Ward, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1363, Int. No. 1259) entitled "An act to amend the Insurance Law, in relation to lists of officers to be furnished to the State Fire Marshal by county clerks," was read the second time.

On motion of Mr. Ward, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1060, Int. No. 1008) entitled "An act to incorporate the 'Mount Vernon Masonic Guild,'" was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1222, Int. No. 1143) entitled "An act to authorize the town of Eastchester, in the county of Westchester, to expend a sum not exceeding five thousand dollars, for the purchase of a motor hook and ladder truck for said town, in accordance with the vote of the electors at a special meeting held in said town on the fifth day of November, nineteen hundred and twelve, and to authorize said town to issue its bonds to raise funds to meet said expenditure, and to provide for the payment of the principal and interest of said bonds," was read the second time.

On motion of Mr. Bovie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1461, Int. No. 1346) entitled "An act to amend the Judiciary Law, in relation to certain books and papers that may be destroyed," was read the second time.

On motion of Mr. Burr, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1177, Int. No. 1098) entitled "An act to amend chapter eight hundred and seventy-six of the Laws of nineteen hundred and eleven, entitled 'An act to constitute poor district number one of the county of Orange, in said district, and ratifying and confirming certain acts of the board of supervisors and other county officers in relation thereto,' in relation to the rights and powers of such district," was read the second time.

On motion of Mr. Doty, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1657, Int. No. 168) entitled "An act to amend the Penal Law, in relation to certain railroad employees," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 180, Int. No. 177) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fifteen of article three of the Constitution, in relation to the jurisdiction of the Court of Appeals," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The Senate bill (No. 878, Rec. No. 73) entitled "An act to amend chapter eight hundred and fifty-five of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity and providing for their compensation,' in relation to the services prerequisite to such retirement, and to voluntary retirement," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 705, Int. No. 679) entitled "An act to legalize conveyances upon tax sales in the county of Cayuga and proceedings affecting such sales and conveyances," was read the second time.

On motion of Mr. Grace, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1396, Int. No. 1286) entitled "An act to authorize the State Architect to receive tenders of sale or gift to the State of real estate in the city of Buffalo, as a site for a State building in said city, to contain all branch offices of State officers, bureaus or departments located or needed in said city, and to authorize the city of Buffalo to offer or tender the sale or gift of such a site," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1218, Int. No. 1139) entitled "An act to amend the General Corporation Law, in relation to corporate names or titles," was read the second time.

On motion of Mr. Hammer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 976, Int. No. 932) entitled "An act granting the consent of the State of New York to the occupation by the United States of certain lands for the purpose of the erection of a lighthouse and necessary buildings, situate near the city of Kingston in the county of Ulster, and ceding jurisdiction over the same," was read the second time.

On motion of Mr. Kennedy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1125, Int. No. 1052) entitled "An act to amend the Executive Law, in relation to the duties of the Attorney-General in actions involving the constitutionality of a statute," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1003, Int. No. 957) entitled "An act to amend chapter six hundred and sixty-seven of the Laws of eighteen hundred and sixty-eight, entitled 'An act to enable Conrad Popenhausen to found an institution in the village of College Point,' generally," was read the second time.

On motion of Mr. Kennedy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1353, Int. No. 1249) entitled "An act authorizing the State Commission in Lunacy, on behalf of the State of New York to surrender to the city of New York, and vesting in said city the authority to accept same, an indenture of lease of premises situate in the borough of Manhattan, in said city, and leased to the State in pursuance of chapter seven hundred and sixty, Laws of nineteen hundred and four, and releasing to said city all the right and title of the State in and to said lease and premises," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 590, Int. No. 576) entitled "An act to erect the county of Bronx from the territory now comprised within the limits of the borough of the Bronx, in the city of New York, as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven, and all acts amendatory thereof and supplemental thereto," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 386, Int. No. 383) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article one of the Constitution, relative to taking private property for public use," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of second reading and referred to the committee on revision.

The bill (No. 1320, Int. No. 1221) entitled "An act to legalize, ratify and confirm the issuing of bonds of the town of Hunter, in the county of Greene, authorized by the board of supervisors of said county, for the purpose of reconstructing and improving certain highways within said town, and to provide for the payment of the principal and interest thereof," was read the second time.

On motion of Mr. Patrie, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 682, Int. No. 656) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to article six of the Constitution, in relation to opinions of the Court of Appeals," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 594, Int. No. 580) entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to the hearing of claims for exemption within the county of Queens," was read the second time.

On motion of Mr. Sutphin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1397, Int. No. 1287) entitled "An act to amend the Real Property Law, in relation to recording a bond or other instrument secured by mortgage," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 573, Int. No. 559) entitled "An act to legalize an issue of forty thousand dollars of bonds of the city of Geneva, au-



thorized at a special election in said city held May twenty-third, nineteen hundred and eleven," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1636, Int. No. 1480) entitled "An act to amend the Election Law, relative to independent nominations for public office," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1142, Int. No. 1069) entitled "An act to authorize the board of supervisors of the county of Westchester to pay, as a county charge a sum of money deposited with the county treasurer of said county by order of the Supreme Court," was read the second time.

On motion of Mr. Yard, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 940, Int. No. 895) entitled "An act to amend the Town Law, in relation to requiring sewer connections in town sewer districts," was read the second time.

On motion of Mr. Allen, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1208, Int. No. 1129) entitled "An act to provide for the removal of an island in the Chemung river at Corning, and making an appropriation therefor," was read the second time.

On motion of Mr. Brewster, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1315, Int. No. 1216) entitled "An act to reappropriate certain unexpended balances of former appropriations," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1535, Int. No. 1392) entitled "An act to amend the County Law, in relation to the power of the board of supervisors to authorize municipalities and districts to borrow money," having been announced for second reading,



On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 803, Int. No. 768) entitled "An act to amend the Highway Law, in relation to the construction of State and county highways in villages," having been announced for a second reading,

On motion of Mr. Cuvillier, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 437, Int. No. 432) entitled "An act to provide for certain improvements to Bashas kill, at the mouth of Pine kill, in the county of Orange, and making an appropriation therefor," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1207, Int. No. 1128) entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' in relation to appropriations for hospital purposes," was read the second time.

On motion of Mr. Edwards, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1469, Int. No. 1354) entitled "An act to amend the Public Service Commissions Law, in relation to the regulation and supervisor of water supply companies, and making an appropriation therefor," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1615, Int. No. 1459) entitled "An act to amend the Conservation Law, in relation to the taking of lake trout with nets in Lake Seneca," was read the second time.

On motion of Mr. Gurnett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1508, Int. No. 1383) entitled "An act to repeal

chapter three hundred and ninety of the Laws of eighteen hundred and fifty-nine," was read the second time.

On motion of Mr. Gage, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 834, Int. No. 338) entitled "An act to amend the State Charities Law, in relation to the office and clerical force of the Fiscal Supervisor," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 739, Int. No. 711) entitled "An act to authorize the village of Weedsport and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burial ground in said village," was read the second time.

On motion of Mr. Grace, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 367, Int. No. 363) entitled "An act to amend the Penal Law, relative to abstraction of or willful misapplication of money, funds or property, or misapplication of credit of any corporation subject to the Banking Law, by an officer, director, trustee, employee or agent thereof," was read the second time.

On motion of Mr. Heyman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 491, Int. No. 486) entitled "An act to amend the Banking Law, in relation to the payment of interest by savings banks," was read the second time.

On motion of Mr. Hammer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 71, Int. No. 71) entitled "An act to amend the Railroad Law, in relation to the establishment of stations and the stopping of trains thereat," was read the second time.

On motion of Mr. Hammer, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 692, Rec. No. 87) entitled "An act to amend the Village Law, in relation to the compensation of collectors," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading.

The Senate bill (No. 691, Rec. No. 86) entitled "An act to amend the Village Law, in relation to street improvement," was read the second time.

On motion of Mr. Evans, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 232, Int. No. 229) entitled "An act to amend the Railroad Law, in relation to the diverting of carload shipments of coal and providing a penalty therefor," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 697, Int. No. 671) entitled "An act providing for the assessment and taxation of certain State lands in the town of Genesee Falls, Wyoming county," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1217, Int. No. 1138) entitled "An act to amend the Religious Corporations Law, in relation to free churches in communion with the Protestant Episcopal church," was read the second time.

On motion of Mr. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1404, Int. No. 1294) entitled "An act to amend the Education Law, in relation to the establishment of a State normal and training school on Long Island," having been announced,

Mr. Maloney moved to amend as follows:

Page 2, line 6, strike out "Governor" insert in italics "Commissioner of Education".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of third reading.

The bill (No. 1626, Int. No. 1470) entitled "An act to provide for the acquisition of a farm site for the hygienic and antitoxin laboratories of the State Department of Health, making an appropriation therefor, and also for the disposition of property now occupied for such purpose," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1316, Int. No. 1217) entitled "An act to amend the Banking Law, in relation to borrowing money, purchasing real property and taking purchase money mortgages by savings and loan associations, having assets, one-half or more of which consists of real property," was read the second time.

On motion of Mr. Madden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1007, Int. No. 961) entitled "An act to amend the Town Highway Law, relative to claims for damages resulting from defective highways," was read the second time.

On motion of Mr. Macdonald, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 937, Int. No. 929) entitled "An act to amend the County Law, in relation to fire districts," was read the second time.

On motion of Mr. Maloney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1129, Int. No. 1056) entitled "An act to amend the Railroad Law, in relation to the conveyance of railroads and their franchises," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 671, Int. No. 645) entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of sheriff of Washington county a salaried office, and regulating

the management of said office,' ” having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1726, Int. No. 1553) entitled “An act to amend the Village Law, in relation to the borrowing of money for highway purposes,” was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1444, Int. No. 1333) entitled “An act to amend chapter six hundred and sixty-six of the Laws of nineteen hundred and eleven, entitled ‘An act to create a police pension fund for disabled and retired policemen and their widows and orphans in the village of White Plains,’ in relation to moneys constituting such fund,” having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 137, Int. No. 135) entitled “An act to amend the Town Law, in relation to limitation of credit of towns and counties,” was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1022, Rec. No. 105) entitled “An act to amend the Town Law, in relation to the appointment of special constables.” was read the second time.

On motion of Mr. Patric, said bill was placed on the order of third reading.

The bill (No. 570, Int. No. 556) entitled “An act to amend the Town Law, in relation to town auditors,” was read the second time.

On motion of Mr. Robinson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 482, Int. No. 477) entitled “An act to amend chapter eight hundred and fifty-one of the Laws of nineteen hundred and eleven, entitled ‘An act to establish a state college of forestry at Syracuse University, and making an appropriation

therefor,' relative to the objects and purposes of the college," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1604, Int. No. 1447) entitled "An act to amend the Conservation Law, in relation to the open season for muskrat," was read the second time.

On motion of Mr. Sweet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 776, Int. No. 747) entitled "An act to amend chapter eight hundred and fifty-eight of the Laws of eighteen hundred and sixty-seven, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' relative to the time of filing statement of unpaid taxes by the county treasurer of Onondaga county," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 542, Int. No. 528) entitled "An act to amend the County Law, in relation to expenses of the supervisors of the county of Saint Lawrence," having been announced for a second reading.

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1605, Int. No. 1448) entitled "An act to provide means for the completion and furnishing of the new Schenectady county jail and the furnishing of the new Schenectady county court house in the city of Schenectady, New York, for the use of the county of Schenectady," was read the second time.

On motion of Mr. Squire, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 683, Int. No. 657) entitled "An act to amend chapter two hundred and ninety-four of the Laws of nineteen hundred and two, entitled 'An act to provide for the licensing of dogs in cities of the second class, for the care and protection of lost, strayed or homeless dogs, for securing and protecting the

rights of the owners thereof and for the protection of the public,' in relation to the destruction of dogs," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1322, Int. No. 1223) entitled "An act to amend chapter one hundred and six of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville, and to repeal certain acts,' in relation to the compensation of president and trustees," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 690, Int. No. 664) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to providing for a legal expense fund," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 689, Int. No. 663) entitled "An act to amend chapter three hundred and twenty-three of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the election of a receiver of taxes and assessments for the town and village of Saratoga Springs,' in relation to collecting interest on village funds from the depositories of the same," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 687, Int. No. 661) entitled "An act to amend chapter sixty-eight of the Laws of eighteen hundred and eighty, entitled 'An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments,' in relation to unredeemed tax sale certificates," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 686, Int. No. 660) entitled "An act in relation to the disposition of ten thousand dollars and accrued interest belonging to the village of Saratoga Springs now on special deposit in the Adirondack Trust Company of Saratoga Springs, and permitting the same to be applied on the village tax budget for the year nineteen hundred and thirteen," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 685, Int. No. 659) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to moneys to be raised for village purposes," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 498, Int. No. 493) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to creating a comptroller's expense fund," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 497, Int. No. 492) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of village of Saratoga Springs, and the several acts amendatory thereof,' in relation to cemeteries and the amount of money to be raised for the care of the same," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 495, Int. No. 490) entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the



village of Saratoga Springs, and the several acts amendatory thereof,' in relation to permitting the commissioner of parks to expend the sum of money to be received from the Commissioners of the State Reservation at Saratoga Springs," was read the second time.

On motion of Mr. G. T. Seelye, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1448, Int. No. 1337) entitled "An act to amend the Public Service Commissions Law, in relation to quotations of rates by common carriers," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 948, Int. No. 903) entitled "An act to provide for the alteration, remodeling and improvement of the State armory in the city of Olean, the disposition of the old armory building, and making an appropriation therefor," was read the second time.

On motion of Mr. Willard, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1450, Int. No. 1339) entitled "An act to amend chapter one hundred and thirty-eight of the Laws of eighteen hundred and fifty-eight, entitled 'An act to amend an act entitled "An act to authorize the improving and keeping in repair a certain highway, in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair," passed March twenty-fourth, eighteen hundred and fifty-seven,' in relation to the amount to be raised annually for the maintenance thereof," was read the second time.

On motion of Mr. Yale, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1093, Int. No. 1038) entitled "An act to authorize the village of Peekskill to construct a building to be used as a jail, police court and police headquarters, and to acquire necessary lands therefor, and to issue bonds for such purpose; and repealing chapter seven hundred and thirty-five of the Laws of

nineteen hundred and eleven, and ratifying and confirming the bonds issued thereunder; and directing the use of the proceeds of such bonds," was read the second time.

On motion of Mr. Yard, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 988, Int. No. 942) entitled "An act to amend the Railroad Law, in relation to the regulation of hours of labor on certain railroads, and to repeal section seven of the Labor Law," was read the second time.

On motion of Mr. Doty, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 864, Int. No. 822) entitled "An act to amend the Penal Law, in relation to the manipulation of prices of securities and conspiring movements to deceive the public," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1030, Int. No. 601) entitled "An act to amend the Liquor Tax Law, in relation to the definition of 'convicted' and 'conviction,' by striking out said definition," having been announced for a second reading,

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 231, Int. No. 228) entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of the State," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate returned the bill (No. 971, Int. No. 927) entitled "An act to amend the County Law, in relation to the powers and duties of assistants to clerks in certain counties," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 371, Int. No. 367) en-

titled "An act to regulate and restrain the practice of midwifery in the city of Syracuse by others than legally authorized physicians," with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

On motion of Mr. Levy, the House adjourned.

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MONDAY, MARCH 17, 1913.

The House met pursuant to adjournment.

Prayer by Rev. Joseph A. Dunney.

On motion of Mr. Levy, the reading of the journal of Friday, March 14th, was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the State Banking Department, which was laid upon the table and ordered printed.

(See Senate Document No. 12.)

Also, the annual report of the Commissioner of Labor, which was laid upon the table and ordered printed.

(See Assembly Document No. 48.)

The Senate sent for concurrence the following entitled bills:

"An act to amend the Religious Corporations Law, in relation to the sale, mortgage and lease of real property of religious corporations" (No. 536, Rec. No. 128), which was read the first time.

On motion of Mr. McKee, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. McKee, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirm-

ative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Insurance Law, in relation to rewards of nominal value for competing insurance brokers and agents" (No. 968, Rec. No. 129), which was read the first time and referred to the committee on insurance.

"An act to amend the Education Law, relative to the consolidation of districts by a vote of a district meeting" (No. 855, Rec. No. 130), which was read the first time.

On motion of Mr. McKee, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. McKee, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

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Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rosan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Education Law, relative to the apportionment of school moneys by district superintendents of schools" (No. 856, Rec. No. 131), which was read the first time and referred to the committee on public education.

"An act to amend the Greater New York charter, in relation to assessments for local improvements" (No. 1055, Rec. No. 132), which was read the first time.

On motion of Mr. McKee, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. McKee, and by unanimous consent, said bill was read the third time, having been printed and on the desks of

the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hoyer	McDaniels	Smith T K
Baxter	Imden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McCraith	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Fairrell	Jude	McMahon	Sweet
Brewster	Finrigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pemberton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwartz	Willard
Deitz	Gu nett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester" (No. 1162, Rec. No. 133), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Prison Law, in relation to the Bertillon system" (No. 469, Rec. No. 134), which was read the first time and referred to the committee on penal institutions.

"An act to amend chapter four hundred and seventy-seven of the Laws of nineteen hundred and six, entitled 'An act to revise the

charter of the city of Elmira,' relating to limitation of moneys to be raised for defraying city expenses " (No. 128, Rec. No. 135), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the County Law, in relation to fire districts " (No. 739, Rec. No. 136), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter one hundred and sixty-four of the Laws of nineteen hundred and seven, entitled 'An act to incorporate "The Queens Borough Public Library," and to permit libraries in the borough of Queens of the city of New York to convey their property thereto, and limiting and defining the powers thereof,' in relation to terms and appointment of trustees of such corporation " (No. 208, Rec. No. 137), which was read the first time and referred to the committee on the judiciary.

"An act authorizing the acquisition by the United States of lands in the borough of Queens, city of New York, as a site for a life saving station " (No. 446, Rec. No. 138), which was read the first time and referred to the committee on ways and means.

"An act to amend the Code of Criminal Procedure, in relation to peace officers " (No. 577, Rec. No. 139), which was read the first time and referred to the committee on codes.

"An act to amend the Tax Law, in relation to payment of expenses in certiorari proceedings " (No. 261, Rec. No. 140), which was read the first time and referred to the committee on taxation and retrenchment.

"An act to amend the Penal Law, in relation to arson " (No. 705, Rec. No. 141), which was read the first time and referred to the committee on codes.

"An act to amend the Public Health Law, relative to the practice of optometry " (No. 868, Rec. No. 142), which was read the first time and referred to the committee on public health.

"An act to amend the Code of Civil Procedure, in relation to preference in applications for letters of administration " (No. 1124, Rec. No. 143), which was read the first time and referred to the committee on codes.

"An act to amend the Educational Law, in relation to school-record certificates " (No. 790, Rec. No. 144), which was read the first time and referred to the committee on public education.

"An act to amend the Code of Civil Procedure, in relation to the service of notices of appeals from judgments rendered in justices' courts" (No. 593, Rec. No. 145), which was read the first time and referred to the committee on codes.

"An act to amend the charter of the village of Deposit, situated partly in the town of Sanford, Broome county, and partly in the town of Deposit (formerly Tompkins), Delaware county, and to revise and compile the several acts relative to said village" (No. 866, Rec. No. 146), which was read the first time and referred to the committee on affairs of villages.

"An act to amend the Public Health Law, in relation to sanitary conditions in hotels" (No. 718, Rec. No. 147), which was read the first time and referred to the committee on public health.

"An act to provide means for the completion and furnishing of the new Schenectady county jail and the furnishing of the new Schenectady county courthouse in the city of Schenectady, New York, for the use of the county of Schenectady" (No. 1065, Rec. No. 148), which was read the first time and referred to the committee on internal affairs.

Mr. Bush introduced a bill entitled "An act reappropriating an unexpended balance for the purpose of furnishing proper terminals and facilities for barge canal traffic" (Int. No. 1746), which was read the first time and referred to the committee on ways and means.

Also, "An act reappropriating unexpended balances for the improvement of the Cayuga and Seneca canals" (Int. No. 1747), which was read the first time and referred to the committee on ways and means.

Also, "An act reappropriating an unexpended balance for the Saratoga Springs State Reservation" (Int. No. 1748), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the State Finance Law, in relation to the powers and duties of the State Comptroller" (Int. No. 1749), which was read the first time and referred to the committee on ways and means.

Also, "An act making an appropriation for the improvement of the Erie canal, Oswego canal and Champlain canal" (Int. No



1750), which was read the first time and referred to the committee on ways and means.

Mr. Cuvillier introduced a bill entitled "An act to amend the Code of Civil Procedure, in relation to the liability of the State and jurisdiction of the Board of Claims in respect to certain claims" (Int. No. 1751), which was read the first time and referred to the committee on codes.

Mr. Daley introduced a bill entitled "An act to amend the Transportation Corporations Law, in relation to telephone service" (Int. No. 1752), which was read the first time and referred to the committee on electricity, gas and water supply.

Also, "An act to amend the Public Service Commissions Law, in relation to physical property of telegraph and telephone companies" (Int. No. 1753), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Greenberg introduced a bill entitled "An act to amend chapter four hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act designating the commission heretofore created to confer with the Governor and the Legislature of the State of New Jersey, for the purpose of developing a system of transit between the city of New York and State of New Jersey, as the New York Interstate Bridge Commission,' in relation to changing its name, and providing for fuller co-operation" (Int. No. 1754), which was read the first time and referred to the committee on the judiciary.

Mr. Jones introduced a bill entitled "An act to amend the Conservation Law, generally, in relation to lands, forests and public parks" (Int. No. 1755), which was read the first time and referred to the committee on conservation.

Also, "An act to give consent by the State of New York to acquisition by the United States of such lands as may be needed for the establishment of a national reserve in the said State" (Int. No. 1756), which was read the first time and referred to the committee on ways and means.

Mr. J. A. Kelly introduced a bill entitled "An act to amend the State Finance Law, in relation to the foreclosure of United States deposit fund mortgages" (Int. No. 1757), which was read the first time and referred to the committee on ways and means.

Also, "An act to amend the State Finance Law, in relation to the supervision and sale of lands" (Int. No. 1758), which was read the first time and referred to the committee on ways and means.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to the titles of inspectors on public works" (Int. No. 1759), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Greater New York charter, in relation to making members of the police of the board of water supply members of the police force of the city of New York" (Int. No. 1760), which was read the first time and referred to the committee on affairs of cities.

Mr. Patrie introduced a bill entitled "An act to provide for the construction of a sixteen foot brick pavement as part of route number three through the village of Catskill, in the county of Greene, and making an appropriation therefor" (Int. No. 1761), which was read the first time and referred to the committee on ways and means.

Mr. Weil introduced a bill entitled "An act to amend the Stock Corporation Law, in relation to corporations having shares of stock without nominal or par value" (Int. No. 1762), which was read the first time and referred to the committee on the judiciary.

Mr. Willmott introduced a bill entitled "An act to amend the Greater New York charter, in relation to coroners" (Int. No. 1763), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act to amend the Public Service Commissions Law, in relation to telephone lines and telephone corporations, regulating charges" (Int. No. 1764), which was read the first time and referred to the committee on electricity, gas and water supply.

Mr. Schnirel introduced a bill entitled "An act to amend the Highway Law, in relation to the disposition of fines and penalties imposed for violations of the Motor Vehicle Law" (Int. No. 1765), which was read the first time and referred to the committee on internal affairs.

Mr. Sweet introduced a bill entitled "An act to provide for the

use of certain lands in the city of Oswego as a public park, to be known as Montcalm Park " (Int. No. 1766), which was read the first time and referred to the committee on affairs of cities.

Mr. Lewis introduced a bill entitled "An act to regulate street railway fares in all cities, in relation to rates of fares for pupils and students of public schools " (Int. No. 1767), which was read the first time and referred to the committee on railroads.

Mr. Brereton introduced a bill entitled "An act to amend the Education Law, relative to the divisions of history and public records " (Int. No. 1768), which was read the first time and referred to the committee on public education.

Mr. Cuvillier introduced a bill entitled "An act to amend the Tax Law, in relation to the exemption from taxation of real property owned by honorably discharged soldiers, sailors and marines, their wives and widows " (Int. No. 1769), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Small introduced a bill entitled "An act to amend the General Business Law, in relation to persons conducting the business of furnishing advertising upon railroad cars " (Int. No. 1770), which was read the first time and referred to the committee on general laws.

Also, "An act to amend the Railroad Law, in relation to the sprinkling of streets by railroad corporations in cities of the first and second class " (Int. No. 1771), which was read the first time and referred to the committee on railroads.

Mr. Gage introduced a bill entitled "An act to create and establish a policemen's relief and pension fund for the police department of the city of Amsterdam and authorizing the granting and payment of relief and pensions to the officers and members of said department entitled thereto " (Int. No. 1772), which was read the first time and referred to the committee on affairs of cities.

Mr. Seaker introduced a bill entitled "An act to amend chapter eighty-seven of the Laws of eighteen hundred and ninety-three, entitled "An act to amend chapter three hundred and thirty-five of the Laws of eighteen hundred and sixty-eight, entitled 'An act to incorporate the city of Ogdensburg,' and the acts amending the

same, generally, and repealing various sections thereof" (Int. No. 1773), which was read the first time and referred to the committee on affairs of cities.

Mr. Daley introduced a bill entitled "An act to amend the General City Law, in relation to powers of cities in respect to providing moneys for certain purposes" (Int. No. 1774), which was read the first time and referred to the committee on affairs of cities.

Also, "An act to amend the Judiciary Law, in relation to examining physicians" (Int. No. 1775), which was read the first time and referred to the committee on the judiciary.

Mr. McMahon introduced a bill entitled "An act to amend the Greater New York charter, in relation to cable splicers in the police department" (Int. No. 1776), which was read the first time and referred to the committee on affairs of cities.

Mr. McGrath introduced a bill entitled "An act to amend the Code of Criminal Procedure, in relation to the custody of a person under sentence of death" (Int. No. 1777), which was read the first time and referred to the committee on codes.

Mr. Levy introduced a bill entitled "An act to amend the Penal Law, in relation to labor of more than six days in any one week" (Int. No. 1778), which was read the first time and referred to the committee on codes.

Mr. Weil introduced a bill entitled "An act to provide for a rehearing of the charges by which Saul J. Rosenthal was dismissed from the fire department of the city of New York" (Int. No. 1779), which was read the first time and referred to the committee on affairs of cities.

Mr. Geoghan introduced a bill entitled "An act authorizing the city of Buffalo to construct improvements along Scajaquada creek in said city for the abatement of floods or freshets, to construct a sewer or drain and a highway along the line of said creek, to purchase or acquire the fee of the necessary lands and real property and to borrow money by the issue and sale of bonds, for any or all of said improvements, or the acquisition of real property therefor" (Int. No. 1780), which was read the first time and referred to the committee on affairs of cities.

Mr. Kennedy introduced a bill entitled "An act to amend section seven hundred and twenty-two of the Greater New York charter, as amended by chapter seven hundred of the Laws of nineteen hundred and four, relative to volunteer fire departments" (Int. No. 1781), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent, Mr. Denney introduced a bill entitled "An act to regulate the salaries of the subordinates in certain offices of certain counties within the city of New York" (Int. No. 1782), which was read the first time and referred to the committee on affairs of cities.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Hearn (No. 1396, Int. No. 1286), entitled "An act to authorize the State Architect to receive tenders of sale or gift to the State of real estate in the city of Buffalo, as a site for a State building in said city, to contain all branch offices of State officers, bureaus or departments located or needed in said city, and to authorize the city of Buffalo to offer for tender the sale or gift of such a site."

Also, the bill introduced by Mr. Gage (No. 1508, Int. No. 1383), entitled "An act to repeal chapter three hundred and ninety of the Laws of eighteen hundred and fifty-nine."

Also, the bill introduced by Mr. Evans (No. 437, Int. No. 432), entitled "An act to provide for certain improvements to Bashas kill, at the mouth of Pine kill, in the county of Orange, and making an appropriation therefor."

Also, the bill introduced by Mr. Bush (No. 1315, Int. No. 1216), entitled "An act to reappropriate certain unexpended balances of former appropriations."

Also, the bill introduced by Mr. Brewster (No. 1208, Int. No. 1129), entitled "An act to provide for the removal of an island in the Chemung river at Corning, and making an appropriation therefor."

Also, the bill introduced by Mr. Bovie (No. 1222, Int. No. 1143), entitled "An act to authorize the town of Eastchester in the county of Westchester, to expend a sum not exceeding five thousand dollars, for the purchase of a motor hook and ladder truck for said town, in accordance with the vote of the electors

at a special meeting held in said town on the fifth day of November, nineteen hundred and twelve, and to authorize said town to issue its bonds to raise funds to meet said expenditure, and to provide for the payment of the principal and interest of said bonds."

Also, the bill introduced by Mr. Bovie (No. 1060, Int. No. 1008), entitled "An act to incorporate the 'Mount Vernon Masonic Guild.'"

Also, the bill introduced by Mr. Brereton (No. 978, Int. No. 934), entitled "An act to provide for the removal and reinterment of bodies in a cemetery in the town of Bolton in Warren county."

Also, the bill introduced by Mr. Squire (No. 1605, Int. No. 1448), entitled "An act to provide means for the completion and furnishing of the new Schenectady county jail and the furnishing of the new Schenectady county courthouse in the city of Schenectady, New York, for the use of the county of Schenectady."

Also, the bill introduced by Mr. Seelye (No. 686, Int. No. 660), entitled "An act in relation to the disposition of ten thousand dollars and accrued interest belonging to the village of Saratoga Springs now on special deposit in the Adirondack Trust Company of Saratoga Springs, and permitting the same to be applied on the village tax budget for the year nineteen hundred and thirteen."

Also, the bill introduced by Mr. Patrie (No. 1320, Int. No. 1221), entitled "An act to legalize, ratify and confirm the issuing of bonds of the town of Hunter, in the county of Greene, authorized by the board of supervisors of said county, for the purpose of reconstructing and improving certain highways within said town, and to provide for the payment of the principal and interest thereof."

Also, the bill introduced by Mr. Sutphin (No. 594, Int. No. 580), entitled "An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to the hearing of claims for exemption within the county of Queens."

Also, the bill introduced by Mr. Ward (No. 1363, Int. No.

1259), entitled "An act to amend the Insurance Law, in relation to lists of officers to be furnished to the State Fire Marshal by county clerks."

Also, the bill introduced by Mr. Ward (No. 1362, Int. No. 1258), entitled "An act to amend the Insurance Law, in relation to service of orders made by the State Fire Marshal."

Also, the bill introduced by Mr. Walker (No. 1355, Int. No. 1251), entitled "An act to amend the Insurance Law, in relation to inspections of premises by assistants to the State Fire Marshal."

Also, the bill introduced by Mr. Willard (No. 948, Int. No. 903), entitled "An act to provide for the alteration, remodeling and improvement of the State armory in the city of Olean, the disposition of the old armory building, and making an appropriation therefor."

Also, the bill introduced by Mr. Yard (No. 1093, Int. No. 1038), entitled "An act to authorize the village of Peekskill to construct a building to be used as a jail, police court and police headquarters, and to acquire necessary lands therefor, and to issue bonds for such purpose; and repealing chapter seven hundred and thirty-five of the Laws of nineteen hundred and eleven, and ratifying and confirming the bonds issued thereunder; and directing the use of the proceeds of such bonds."

Also, the bill introduced by Mr. Yard (No. 1142, Int. No. 1069), entitled "An act to authorize the board of supervisors of the county of Westchester to pay, as a county charge, a sum of money deposited with the county treasurer of said county by order of the Supreme Court."

Also, the bill introduced by Mr. Kenney (No. 976, Int. No. 932), entitled "An act granting the consent of the State of New York to the occupation by the United States of certain lands for the purpose of the erection of a lighthouse and necessary buildings, situate near the city of Kingston in the county of Ulster, and ceding jurisdiction over the same."

Also, the bill introduced by Mr. Robinson (No. 570, Int. No. 556), entitled "An act to amend the Town Law, in relation to town auditors."



Also, the bill introduced by Mr. J. D. Kelly (No. 1542, Int. No. 1399), entitled "An act to amend the Insurance Law, in relation to transportation of explosives."

Also, the bill introduced by Mr. Madden (No. 1316, Int. No. 1217), entitled "An act to amend the Banking Law, in relation to borrowing money, purchasing real property and taking purchase money mortgages by savings and loan associations, having assets, one-half or more of which consist of real property."

Also, the bill introduced by Mr. Maloney (No. 973, Int. No. 929), entitled "An act to amend the County Law, in relation to fire districts."

Also, the bill introduced by Mr. McCue (No. 1129, Int. No. 1056), entitled "An act to amend the Railroad Law, in relation to the conveyance of railroads and their franchises."

Also, the bill introduced by Mr. McCue (No. 1196, Int. No. 1117), entitled "An act to amend the Penal Law, in relation to guard posts."

Also, the bill introduced by Mr. McGrath (No. 1353, Int. No. 1249), entitled "An act authorizing the State Commission in Lunacy, on behalf of the State of New York, to surrender to the city of New York, and vesting in said city the authority to accept same, an indenture of lease of premises situate in the borough of Manhattan, in said city, and leased to the State in pursuance of chapter seven hundred and sixty, Laws of nineteen hundred and four, and releasing to said city all the right and title of the State in and to said lease and premises."

Also, the bill introduced by Mr. McGrath (No. 386, Int. No. 383), entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article one of the Constitution, relative to taking private property for public use."

Also, the bill introduced by Mr. Lewis (No. 1217, Int. No. 1138), entitled "An act to amend the Religious Corporations Law, in relation to free churches in communion with the Protestant Episcopal church."

Also, the bill introduced by Mr. J. D. Kelly (No. 1352, Int. No. 1248), entitled "An act to amend the Insurance Law, in relation to reports of assistants to the State Fire Marshal."



Also, the bill introduced by Mr. Hammer (No. 71, Int. No. 71), entitled "An act to amend the Railroad Law, in relation to the establishment of stations and the stopping of trains thereat."

Also, the bill introduced by Mr. Kennedy (No. 1003, Int. No. 957), entitled "An act to amend chapter six hundred and sixty-seven of the Laws of eighteen hundred and sixty-eight, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point,' generally."

Also, the bill introduced by Mr. Doty (No. 1177, Int. No. 1098), entitled "An act to amend chapter eight hundred and seventy-six of the Laws of nineteen hundred and eleven, entitled 'An act to constitute poor district number one of the county of Orange, in relation to the support of the poor in said district, and ratifying and confirming certain acts of the board of supervisors and other county officers in relation thereto,' in relation to the rights and powers of such district."

Also, the bill introduced by Mr. Yale (No. 1450, Int. No. 1339), entitled "An act to amend chapter one hundred and thirty-eight of the Laws of eighteen hundred and fifty-eight, entitled 'An act to amend an act entitled "An act to authorize the improving and keeping in repair a certain highway, in the county of Putnam, and to assess certain nonresident lands along the line of said road, and to pay the expenses of keeping the same in repair," passed March twenty-fourth, eighteen hundred and fifty-seven,' in relation to the amount to be raised annually for the maintenance thereof."

Also, the bill introduced by Mr. Kane (No. 1349, Int. No. 1245), entitled "An act to amend the Insurance Law, in relation to excusing persons from testifying upon any investigation, proceeding or inquiry before the State Fire Marshal."

Also, the bill introduced by Mr. Hammer (No. 1218, Int. No. 1139), entitled "An act to amend the General Corporation Law, in relation to corporate names or titles."

Also, the bill introduced by Mr. Hammer (No. 491, Int. No. 486), entitled "An act to amend the Banking Law, in relation to the payment of interest by savings banks."

Also, the bill introduced by Mr. Heyman (No. 367, Int. No. 363), entitled "An act to amend the Penal Law, relative to

abstraction of or willful misapplication of money, funds or property, or misapplication of credit, of any corporation subject to the Banking Law, by an officer, director, trustee, employee or agent thereof."

Also, the bill introduced by Mr. Hearn (No. 231, Int. No. 228), entitled "An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of the State."

Also, the bill introduced by Mr. Grace (No. 705, Int. No. 679), entitled "An act to legalize conveyances upon tax sales in the county of Cayuga and proceedings affecting such sales and conveyances."

Also, the bill introduced by Mr. Grace (No. 739, Int. No. 711), entitled "An act to authorize the village of Weedsport and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burial ground in said village."

Also, the bill introduced by Mr. Gurnett (No. 1615, Int. No. 1459), entitled "An act to amend the Conservation Law, in relation to the taking of lake trout with nets in Lake Seneca."

Also, the bill introduced by Mr. Edwards (No. 1207, Int. No. 1128), entitled "An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' in relation to appropriations for hospital purposes."

Also, the bill introduced by Mr. Evans (No. 1657, Int. No. 168), entitled "An act to amend the Penal Law, in relation to certain railroad employees."

Also, the bill introduced by Mr. Doty (No. 988, Int. No. 942), entitled "An act to amend the Railroad Law, in relation to the regulation of hours of labor on certain railroads, and to repeal section seven of the Labor Law."

Also, the bill introduced by Mr. Burr (No. 1461, Int. No. 1346), entitled "An act to amend the Judiciary Law, in relation to certain books and papers that may be destroyed."

Also, the bill introduced by Mr. Allen (No. 940, Int. No. 895), entitled "An act to amend the Town Law, in relation to requiring sewer connections in town sewer districts."

Also, the bill introduced by Mr. Adler (No. 1294, Int. No. 1284), entitled "An act to amend the Religious Corporations Law, in relation to the number of trustees of Baptist churches."

Also, the bill introduced by Mr. G. T. Seelye (No. 1322, Int. No. 1223), entitled "An act to amend chapter one hundred and six of the Laws of eighteen hundred and ninety-one, entitled 'An act to revise, consolidate and amend the several acts relating to the village of Mechanicville, and to repeal certain acts,' in relation to the compensation of president and trustees."

Also, the bill introduced by Mr. G. T. Seelye (No. 690, Int. No. 664), entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to providing for a legal expense fund."

Also, the bill introduced by Mr. G. T. Seelye (No. 689, Int. No. 663), entitled "An act to amend chapter three hundred and twenty-three of the Laws of eighteen hundred and seventy-two, entitled 'An act authorizing the election of a receiver of taxes and assessments for the town and village of Saratoga Springs,' in relation to collecting interest on village funds from the depositories of the same."

Also, the bill introduced by Mr. G. T. Seelye (No. 687, Int. No. 661), entitled "An act to amend chapter sixty-eight of the Laws of eighteen hundred and eighty, entitled 'An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments,' in relation to unredeemed tax sale certificates."

Also, the bill introduced by Mr. G. T. Seelye (No. 685, Int. No. 659), entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to moneys to be raised for village purposes."

Also, the bill introduced by Mr. G. T. Seelye (No. 498, Int. No. 493), entitled "An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled

‘An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,’ in relation to creating a comptroller’s expense fund.”

Also, the bill introduced by Mr. G. T. Seelye (No. 497, Int. No. 492), entitled “An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled ‘An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,’ in relation to cemeteries and the amount of money to be raised for the care of the same.”

Also, the bill introduced by Mr. G. T. Seelye (No. 495, Int. No. 490), entitled “An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled ‘An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,’ in relation to permitting the commissioner of parks to expend the sum of money to be received from the Commissioners of the State Reservation at Saratoga Springs.”

Also, the bill introduced by Mr. Walker (No. 1680, Int. No. 666), entitled “An act to amend the Penal Law, in relation to the sale or possession of cocaine or eucaine.”

Also, the bill introduced by Mr. T. K. Smith (No. 776, Int. No. 747), entitled “An act to amend chapter eight hundred and fifty-eight of the Laws of eighteen hundred and sixty-seven, entitled ‘An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,’ relative to the time of filing statement of unpaid taxes by the county treasurer of Onondaga county,” reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Macdonald (No. 1007, Int. No. 961), entitled “An act to amend the Town Highway Law, relative to claims for damages resulting from defective highways,” reported the same with the following recommendation:

In the title, strike out the word “town”.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Goldberg (No. 1741, Int. No. 1178), entitled "An act to amend the Inferior Criminal Courts Act of the City of New York in relation to the city magistrates' courts," reported the same with the following recommendations:

In the title, insert comma after "New York".

At page 3, line 6, after "meaning" insert "of the provisions".

At page 17, line 14, insert comma after "board".

At page 23, line 25, after "any" insert "one".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Sweet (No. 1604, Int. No. 1447), entitled "An act to amend the Conservation Law, in relation to the open season for muskrat," reported the same with the following recommendation:

At page 1, line 10, after "Muskrat" insert "houses".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. O'Brien (No. 137, Int. No. 135), entitled "An act to amend the Town Law, in relation to limitation of credit of towns and counties," reported the same with the following recommendations:

In the title, strike out "town" and insert "county".

At page 1, line 6, insert comma after "issue".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend the Insurance Law, in relation to inspections of premises by assistants to the State Fire Marshal." (No. 1355, Int. No. 1251.)

"An act to legalize, ratify and confirm the issuing of bonds of the town of Hunter, in the county of Greene, authorized by the board of supervisors of said county, for the purpose of recon-

structing and improving certain highways within said town, and to provide for the payment of the principal and interest thereof." (No. 1320, Int. No. 1221.)

"An act to authorize the village of Peekskill to construct a building to be used as a jail, police court and police headquarters, and to acquire necessary lands therefor, and to issue bonds for such purpose; and repealing chapter seven hundred and thirty-five of the Laws of nineteen hundred and eleven, and ratifying and confirming the bonds issued thereunder; and directing the use of the proceeds of such bonds." (No. 1093, Int. No. 1038.)

"An act to amend the Banking Law, in relation to borrowing money, purchasing real property and taking purchase money mortgages by savings and loan associations, having assets, one-half or more of which consist of real property." (No. 1316, Int. No. 1217.)

"An act to amend the Education Law, relative to aid for blind and deaf students in colleges and universities." (No. 1130, Int. No. 1066.)

"An act to authorize the board of supervisors of the county of Westchester to pay, as a county charge, a sum of money deposited with the county treasurer of said county by order of the Supreme Court." (No. 1142, Int. No. 1069.)

"An act to amend the Judiciary Law, in relation to certain books and papers that may be destroyed." (No. 1461, Int. No. 1346.)

"An act to amend chapter one hundred and thirty-eight of the Laws of eighteen hundred and fifty-eight, entitled 'An act to amend an act entitled "An act to authorize the improving and keeping in repair a certain highway, in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair," passed March twenty-fourth, eighteen hundred and fifty-seven,' in relation to the amount to be raised annually for the maintenance thereof." (No. 1450, Int. No. 1339.)

"An act to amend the Insurance Law, in relation to the standard fire insurance policy of the State of New York and the adjustment of losses thereunder." (No. 1864, Int. No. 875.)

"An act to amend the Tax Law, in relation to the salaries of

transfer tax clerks in the surrogate's court, Monroe county." (No. 64, Int. No. 64.)

"An act to amend chapter eight hundred and eighty-seven of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the board of aldermen of the city of New York to audit, allow and certify to the comptroller for payment, as charges against said city, the reasonable expenses for medical and surgical treatment and maintenance of the mayor or other officer or employee of the city of New York for gunshot wounds or personal injuries, and authorizing the comptroller to audit and pay such charges,' in relation to extending the provisions of such chapter to county and borough officers." (No. 1673, Int. No. 1515.)

"An act to amend the Greater New York charter, in relation to reports by the board of education." (No. 1672, Int. No. 1514.)

"An act to authorize the board of trustees of the police pension fund of the city of Buffalo, in their discretion, to increase pensions heretofore granted to widows of former members of the police force." (No. 1649, Int. No. 1493.)

"An act transferring Hopkins street in the city of Buffalo from the jurisdiction and control of the common council to the jurisdiction and control of the park commissioners of said city." (No. 1413, Int. No. 1303.)

"An act to amend the Prison Law, in relation to pardons." (No. 1601, Int. No. 1444.)

"An act to provide for the removal of an island in the Chemung river at Corning, and making an appropriation therefor." (No. 1208, Int. No. 1129.)

"An act to amend the Greater New York charter, in relation to compensation for city employees during absence from duty occasioned by injuries received in the performance of duty." (No. 1386, Int. No. 1275.)

"An act to amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' in relation to appropriations for hospital purposes." (No. 1207, Int. No. 1128.)

"An act to amend the Education Law, relative to the apportionment of school moneys by district superintendents of schools." (No. 1138, Int. No. 1065.)



"An act to authorize the State Architect to receive tenders of sale or gift to the State of real estate in the city of Buffalo, as a site for a State building in said city, to contain all branch offices of State officers, bureaus or departments located or needed in said city, and to authorize the city of Buffalo to offer or tender the sale or gift of such a site." (No. 1396, Int. No. 1286.)

"An act to amend the Greater New York charter, in relation to providing for a relief and pension fund for the benefit of the members of the clerical, mechanical and uniform force of the bureau of street cleaning of the borough of Queens." (No. 1454, Int. No. 1343.)

"An act to amend the Greater New York charter, in relation to the power of the board of aldermen to issue permits for the sale of newspapers and periodicals." (No. 1384, Int. No. 1273.)

"An act to provide for the erection of a new vocational high school in the city of Syracuse." (No. 1724, Int. No. 1551.)

"An act to promote the public health by amending the Labor Law, in relation to labor of more than six days in any one week." (No. 1297, Int. No. 1198.)

"An act to amend chapter three hundred and seventy of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the public schools in the city of Elmira,' relating to deposits of school money with the city chamberlain." (No. 1206, Int. No. 1127.)

"An act to amend chapter five hundred and ninety-two of the Laws of nineteen hundred and ten, entitled 'An act in relation to the care and investment of the Adam Haverling school fund belonging to Haverling union free school district number five, town of Bath, Steuben county, and repealing certain acts in relation thereto,' in relation to bond of treasurer of board of education of such free school district." (No. 1064, Int. No. 1012.)

"An act to amend the Greater New York charter, in relation to the registration of births not previously recorded." (No. 1498, Int. No. 1373.)

"An act to amend the Insurance Law, in relation to lists of officers to be furnished to the State Fire Marshal by county clerks." (No. 1363, Int. No. 1259.)



“An act to amend the Legislative Law, in relation to compensation for appearances in legislative matters.” (No. 1798, Int. No. 358.)

“An act to amend the Penal Law, in relation to the destruction of glandered, injured or diseased animals.” (No. 1799, Int. No. 578.)

“An act to amend the Public Health Law, in relation to cadavers for medical and surgical study.” (No. 1802, Int. No. 298.)

“An act to amend the Labor Law, in relation to washrooms, dressing rooms and water closets in factories.” (No. 1800, Int. No. 976.)

“An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled ‘An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled “An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego,” and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,’ and to repeal the several acts amendatory thereof and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto.” (No. 1801, Int. No. 996.)

“An act to reappropriate certain unexpended balances of former appropriations.” (No. 1315, Int. No. 1216.)

“An act authorizing the State Commission of Lunacy, on behalf of the State of New York, to surrender to the city of New York, and vesting in said city the authority to accept same, an indenture of lease of premises situate in the borough of Manhattan, in said city, and leased to the State in pursuance of chapter

seven hundred and sixty, Laws of nineteen hundred and four, and releasing to said city all the right and title of the State in and to said lease and premises." (No. 1353, Int. No. 1249.)

"An act to amend the Insurance Law, in relation to excusing persons from testifying upon any investigation, proceeding or inquiry before the State Fire Marshal." (No. 1349, Int. No. 1245.)

"An act to amend the Religious Corporations Law, in relation to free churches in communion with the Protestant Episcopal church." (No. 1217, Int. No. 1138.)

"An act to amend the Penal Law, in relation to certain railroad employees." (No. 1657, Int. No. 168.)

"An act to amend the County Law, in relation to fire districts." (No. 973, Int. No. 929.)

"An act to legalize conveyances upon tax sales in the county of Cayuga and proceedings affecting such sales and conveyances." (No. 705, Int. No. 679.)

"An act to amend chapter four hundred and forty-one of the Laws of eighteen hundred and ninety-nine, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to the hearing of claims for exemption within the county of Queens." (No. 594, Int. No. 580.)

"An act to provide for the repair and improvement of existing mechanical and other structures and works on and connected with the canals of the State." (No. 231, Int. No. 228.)

"An act to amend the Railroad Law, in relation to the conveyance of railroads and their franchises." (No. 1129, Int. No. 1056.)

The bill (No. 1466, Int. No. 1351) entitled "An act to amend the Poor Law, in relation to the relief of women nurses who served in the War of the Rebellion, the Spanish-American War or the War of the Philippine insurrection," was read the second time.

On motion of Mr. Carver, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1656, Int. No. 689) entitled "An act to amend the Greater New York charter, in relation to service of employees," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1463, Int. No. 1348) entitled "An act to amend the Military Law, in relation to the formation of associations by squadrons and troops," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1464, Int. No. 1349) entitled "An act to amend the Military Law, in relation to armory employees," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1465, Int. No. 1350) entitled "An act to amend the Military Law, in relation to uniforms," was read the second time.

On motion of Mr. Cuvillier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1002, Int. No. 956) entitled "An act to amend the Greater New York charter, in relation to an additional municipal court justice for the borough of Brooklyn," was read the second time.

On motion of Mr. J. J. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1309, Int. No. 1210) entitled "An act to amend the Banking Law, in relation to cumulative voting of stockholders at elections of bank directors," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1808, Int. No. 513) entitled "An act to amend the Labor Law, in relation to foundries," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1807, Int. No. 981) entitled "An act to amend the Labor Law, in relation to the housing of factory employees," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1797, Int. No. 1268) entitled "An act to amend the Labor Law, in relation to the organization of the Department of Labor and its various bureaus, the creation of an industrial board, and the extension of the department's jurisdiction over mercantile establishments in cities of the second class," was read the second time.

On motion of Mr. Jackson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1804, Int. No. 1265) entitled "An act to amend the General City Law, in relation to the powers of cities," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1806, Int. No. 1177) entitled "An act to amend the Labor Law, in relation to the manufacture, sale and use of mattresses," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 515, Assembly Reprint No. 1809, Rec. No. 23) entitled "An act to amend the Banking Law, in relation to the merger of savings banks," was read the second time.

On motion of Mr. Pollock, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1805, Int. No. 1100) entitled "An act to amend the Labor Law, in relation to protecting employees working near switchboards," was read the second time.

On motion of Mr. Small, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1068, Int. No. 1016) entitled "An act to amend the Banking Law, in relation to the organization and regulation of exchange corporations," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1067, Int. No. 1015) entitled "An act to amend the Penal Law, in relation to discriminations by exchanges or the members thereof," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1066, Int. No. 1014) entitled "An act to amend the Penal Law, in relation to the delivery to customers of memoranda of transactions by brokers," having been announced,

Mr. Levy moved to amend as follows:

Page 2, line 5, strike out "hour and" and insert in place thereof in italics "and the hours between".

Page 2, line 6, strike out "minute at".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered That said bill be reprinted and restored to the order of second reading.

The bill (No. 866, Int. No. 824) entitled "An act to amend the Penal Law, in relation to trading by brokers against customer's orders," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 865, Int. No. 823) entitled "An act to amend the Penal Law, in relation to reporting or publishing fictitious transactions in securities," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 859, Int. No. 817) entitled "An act to amend the Penal Law, in relation to transactions by brokers after insolvency and in the hypothecation of customers' securities," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 861, Int. No. 819) entitled "An act to amend the Penal Law, in relation to bucket shops," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 860, Int. No. 818) entitled "An act to amend the Penal Law, in relation to false representations concerning securities," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 180, Int. No. 177) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section fifteen of article three of the Constitution, in relation to the jurisdiction of the Court of Appeals," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The Senate bill (No. 878, Rec. No. 73) entitled "An act to amend chapter eight hundred and fifty-five of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the justices of the Appellate Division of the Supreme Court in the first department to retire employees for incapacity and providing for their compensation,' in relation to the services prerequisite to such retirement and to voluntary retirement," was read the second time.

On motion of Mr. Fitzgerald, said bill was placed on the order of third reading.

The bill (No. 1125, Int. No. 1052) entitled "An act to amend the Executive Law, in relation to the duties of the Attorney-General in actions involving the constitutionality of a statute," was read the second time.

On motion of Mr. J. D. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 590, Int. No. 576) entitled "An act to erect the county of Bronx from the territory now comprised within the limits of the borough of the Bronx, in the city of New York, as constituted by chapter three hundred and seventy-eight of the Laws of eighteen hundred and ninety-seven and all acts amendatory thereof and supplemental thereto," having been announced for a second reading,

On motion of Mr. McMahon, said bill was recommitted to the committee on the judiciary, retaining its place on the order of second reading.

The bill (No. 682, Int. No. 656) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to article six of the Constitution, in relation to opinions of the Court of Appeals," having been announced for a second reading,

On motion of Mr. Phillips, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1397, Int. No. 1287) entitled "An act to amend the Real Property Law, in relation to recording a bond or other instrument secured by mortgage," having been announced for a second reading,

On motion of Mr. Schaap, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 573, Int. No. 559) entitled "An act to legalize an issue of forty thousand dollars of bonds of the city of Geneva, authorized at a special election in said city held May twenty-third, nineteen hundred and eleven," was read the second time.

On motion of Mr. Schnirel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1636, Int. No. 1480) entitled "An act to amend the Election Law, relative to independent nominations for public office," having been announced for a second reading,

On motion of Mr. Levy, said bill was recommitted to the committee on the judiciary, retaining its place on the order of second reading.

The bill (No. 1535, Int. No. 1392) entitled "An act to amend the County Law, in relation to the power of the board of supervisors to authorize municipalities and districts to borrow money," was read the second time.

On motion of Mr. Doty, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Evans offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the Senate bill (No. 556, Rec. No. 125) entitled "An act to amend the Highway Law, in relation to the construction of State and county highways in villages."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Evans, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Evans, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grece	Lane	Schaap	Webb
Cuvillier	Graenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 803, Int. No. 768) entitled "An act to amend the Highway Law, in relation to the construction of State and county highways in villages," having been announced for a second reading,

On motion of Mr. Evans, said bill was laid aside and ordered stricken from the calendar.



The bill (No. 1469, Int. No. 1354) entitled "An act to amend the Public Service Commissions Law, in relation to the regulation and supervision of water supply companies, and making an appropriation therefor," having been announced for a second reading,

On motion of Mr. Fitzgerald, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 834, Int. No. 338) entitled "An act to amend the State Charities Law, in relation to the office and clerical force of the Fiscal Supervisor," was read the second time.

On motion of Mr. Gallup, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 232, Int. No. 229) entitled "An act to amend the Railroad Law, in relation to the diverting of carload shipments of coal and providing a penalty therefor," was read the second time.

On motion of Mr. Jones, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 697, Int. No. 671) entitled "An act providing for the assessment and taxation of certain State lands in the town of Genesee Falls, Wyoming county," having been announced for a second reading,

On motion of Mr. Knight, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1626, Int. No. 1470) entitled "An act to provide for the acquisition of a farm site for the hygienic and antitoxin laboratories of the State Department of Health, making an appropriation therefor, and also for the disposition of property now occupied for such purpose," was read the second time.

On motion of Mr. Malone, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 671, Int. No. 645) entitled "An act to amend chapter one hundred and seventeen of the Laws of eighteen hundred and ninety-seven, entitled 'An act to make the office of sheriff of Washington county a salaried office, and regulating the management of said office,'" having been announced for a second reading,

On motion of Mr. Norton, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1444, Int. No. 1333) entitled "An act to amend chapter six hundred and sixty-six of the Laws of nineteen hundred and eleven, entitled 'An act to create a police pension fund for disabled and retired policemen and their widows and orphans in the village of White Plains,' in relation to moneys constituting such fund," was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 482, Int. No. 477) entitled "An act to amend chapter eight hundred and fifty-one of the Laws of nineteen hundred and eleven, entitled 'An act to establish a State college of forestry at Syracuse University, and making an appropriation therefor,' relative to the objects and purposes of the college," was read the second time.

On motion of Mr. T. K. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 542, Int. No. 528) entitled "An act to amend the County Law, in relation to expenses of the supervisors of the county of Saint Lawrence," was read the second time.

On motion of Mr. J. A. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 683, Int. No. 657) entitled "An act to amend chapter two hundred and ninety-four of the Laws of nineteen hundred and two, entitled 'An act to provide for the licensing of dogs in cities of the second class, for the care and protection of lost, strayed or homeless dogs, for securing and protecting the rights of the owners thereof and for the protection of the public,' in relation to the destruction of dogs," was read the second time.

On motion of Mr. Schwarz, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1448, Int. No. 1337) entitled "An act to amend the Public Service Commissions Law, in relation to quotation of rates by common carriers," was read the second time.

On motion of Mr. Tudor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 864, Int. No. 822) entitled "An act to amend the Penal Law, in relation to the manipulation of prices of securities and conspiring movements to deceive the public," was read the second time.

On motion of Mr. Levy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1030, Int. No. 601) entitled "An act to amend the Liquor Tax Law, in relation to the definition of 'convicted' and 'conviction,' by striking out said definition," was read the second time.

On motion of Mr. McCue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1685, Int. No. 1132) entitled "An act to amend the Greater New York charter, in relation to the board of education," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 850, Int. No. 808) entitled "An act to repeal chapter eight hundred and three of the Laws of eighteen hundred and ninety-six, entitled 'An act in relation to plumbing in the city of New York,' " having been announced for a second reading,

On motion of Mr. Deitz, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 848, Int. No. 806) entitled "An act to amend the Greater New York charter, in relation to the regulation and registration of plumbers," having been announced for a second reading,

On motion of Mr. Deitz, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 839, Int. No. 807) entitled "An act to amend the General City Law, in relation to plumbing in the city of New York," having been announced for a second reading,

On motion of Mr. Deitz, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1709, Int. No. 1536) entitled "An act to amend

the Greater New York charter, in relation to playgrounds," was read the second time.

On motion of Mr. Caughlan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1693, Int. No. 1524) entitled "An act to amend the Greater New York charter, relative to the acquisition of wharf property by the city of New York," was read the second time.

On motion of Mr. McGrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1690, Int. No. 1521) entitled "An act to amend the Greater New York charter, in relation to the transfer of jurisdiction and control of streets," was read the second time.

On motion of Mr. Larrimer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 490, Int. No. 485) entitled "An act to establish and maintain a water department in and for the city of Elmira," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 470, Int. No. 465) entitled "An act to amend the Greater New York charter, in relation to fire department pilots," was read the second time.

On motion of Mr. Burr, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1494, Int. No. 1369) entitled "An act authorizing the fire commissioner of the city of New York to retire, with pay, employees in the division of combustibles of the bureau of fire prevention injured while engaged in the actual performance of duty," was read the second time.

On motion of Mr. Tudor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 757, Int. No. 730) entitled "An act to amend chapter six hundred and fifty-nine of the Laws of eighteen hundred and sixty-five, entitled 'An act in relation to the collection of taxes in the city of Utica,'" was read the second time.

On motion of Mr. Emden, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 847, Int. No. 805) entitled "An act to amend the Greater New York charter, in relation to the examining board of plumbers of such city," having been announced for a second reading,

On motion of Mr. Deitz, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1684, Int. No. 1135) entitled "An act to amend the Greater New York charter, in relation to powers of investigation by the president of the board of education," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1683, Int. No. 1134) entitled "An act to amend the Greater New York charter, in relation to changing conditions annexed to salary schedules approved by the board of education," was read the second time.

On motion of Mr. McKee, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1212, Int. No. 1133) entitled "An act to amend the Greater New York charter, in relation to changing grades of schools and classes by the board of education," having been announced for a second reading,

On motion of Mr. McKee, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1532, Int. No. 1389) entitled "An act to amend the Town Law, in regard to the constitution and regular meeting of the town board," having been announced,

Mr. Bush moved to amend as follows:

Page 3, line 3, after the word "board" insert "any justice of the peace, who attends a meeting of the town board, shall be entitled to the same mileage for actual travel as a supervisor receives."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 1876, Int. No. 859) entitled "An act relating to

the completion of the Capitol," having been announced for a second reading,

On motion of Mr. Adler, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1875, Int. No. 1120) entitled "An act to amend the Code of Civil Procedure, in relation to temporary possession pending condemnation proceedings," was read the second time.

On motion of Mr. Donohue, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1874, Int. No. 402) entitled "An act to amend the Prison Law, in relation to the retirement of employees in State prisons and pensions of such employees," was read the second time.

On motion of Mr. Gathright, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1873, Int. No. 31) entitled "Concurrent resolution of the Senate and Assembly amending section five of article four of the Constitution, relating to reprieves, commutations and the pardon to be granted by the Governor," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1872, Int. No. 1460) entitled "An act to amend the Conservation Law, in relation to the taking of hares and rabbits in the counties of Schuyler and Tompkins," was read the second time.

On motion of Mr. Gurnett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1871, Int. No. 1007) entitled "An act to amend the Railroad Law, in relation to coal jimmies and caboose cars," was read the second time.

On motion of Mr. Hearn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1870, Int. No. 598) entitled "An act to amend chapter two hundred and eighty-nine of the Laws of nineteen hundred and eleven, entitled 'An act to extend the corporate ex-

istence of the Enterprise Land Company; and to validate its conveyance of real estate and the election of its trustees,' in relation to extending the corporate existence of the Enterprise Land Company for certain purposes," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 1869, Int. No. 389) entitled "An act to amend the Code of Civil Procedure, in relation to the burden of proof of contributory negligence in an action to recover damages for personal injuries causing death," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The Senate bill (No. 704, Assembly Reprint No. 1884, Rec. No. 81) entitled "An act to amend the Insurance Law, in relation to standard provisions for accident and health policies and discriminations," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading.

The bill (No. 1868, Int. No. 450) entitled "An act to provide for the construction of a new bridge over the Black River canal, at Main street in the village of Port Leyden, in the county of Lewis, and making an appropriation therefor," was read the second time.

On motion of Mr. Van Woert, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1883, Int. No. 461) entitled "An act to amend the Public Service Commissions Law, in relation to the powers of the Public Service Commission in respect of carriers of passengers and freight by water," having been announced,

Mr. Brewster moved to amend as follows:

Page 2, line 6, strike out the word "or" and insert in italics "within the State of New York except".

Page 2, line 10, strike out the words "except ferry lines".

Page 6, line 24, strike out brackets about the word "or".

Page 6, lines 24 and 25, strike out the words "or other methods".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 1880, Int. No. 1340) entitled "An act to amend chapter one hundred and seven of the Laws of eighteen hundred and eighty-seven, entitled 'An act to incorporate the Nyack fire department, and to exempt its property from taxation,' in relation to the funds of such department and the distribution thereof," was read the second time.

On motion of Mr. Grimme, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 626, Assembly Reprint No. 1881, Rec. No. 94) entitled "An act to provide for a commission on the codification of the practice and procedure in the municipal court of the city of New York and to simplify, revise and amend the pleadings, practice and procedure therein, and to provide rules for the conduct of the court, justices, clerks and attaches thereof and the marshals attached to the said court," having been announced,

Mr. McGrath moved to amend as follows:

On page 2, line 9, strike out "four" and insert in place thereof "three".

On page 2, line 10, after the words New York, insert "three attorneys and counsellors-at-law of the State of New York, of at least ten years' standing, one member of the Senate to be designated by the President of the Senate and two members of Assembly to be designated by the Speaker of the Assembly".

On page 2, line 10, strike out the words "and four" and all italicized matter on lines 10, 11 and 12.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be reprinted and restored to the order of second reading.

The bill (No. 1882, Int. No. 1272) entitled "An act to amend the Highway Law, in relation to the construction or improvement of highways by county and town," was read the second time.



On motion of Mr. P. J. Kelly, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1943, Int. No. 574) entitled "An act to amend the Transportation Corporations Law, in relation to stage-coach routes," having been announced for a second reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The Senate bill (No. 514, Assembly Reprint No. 1941, Rec. No. 119) entitled "An act making an appropriation to aid in the celebration of the one hundredth anniversary of the battle of Lake Erie, fought September tenth, eighteen hundred and thirteen, the erection of a memorial to Commodore Perry and his men, and other expenses in connection with such celebration, and relating to Perry's Victory Centennial Commission," was read the second time.

On motion of Mr. Bush, said bill was placed on the order of third reading.

The bill (No. 1942, Int. No. 1001) entitled "An act to amend chapter five hundred and ninety-three of the Laws of nineteen hundred and five, entitled 'An act to revise the charter of the city of Johnstown,' in relation to the police department and city officers," was read the second time.

On motion of Mr. Wood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1744, Int. No. 1175) entitled "An act to amend the Agricultural Law, in relation to the Commissioner of Agriculture," was read the second time.

On motion of Mr. Cole, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Bovie offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on internal affairs be discharged from the further consideration of the Senate bill (No. 1162, Rec. No. 133) entitled "An act authorizing payments to injured or representatives of deceased volunteer firemen in the county of Westchester."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Bovie, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Bovie, and by unanimous consent, said bill was read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1230, Int. No. 63) entitled "An act authorizing payments to injured or representatives of deceased volunteer

firemen in the county of Westchester," having been announced for a third reading,

On motion of Mr. Bovie, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1269, Int. No. 501) entitled "An act to amend section twenty-one hundred and forty-four of the Penal Law, in relation to permitting labor and secular business on Sunday by certain persons," having been announced for a third reading,

On motion of Mr. Levy, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

By unanimous consent, Mr. Hinman offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on codes be discharged from the further consideration of the Senate bill (No. 1126, Rec. No. 120) entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences."

On motion of Mr. Hinman, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hinman, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The bill (No. 1513, Int. No. 655) entitled "An act to amend the Code of Criminal Procedure, in relation to appeals to the Supreme Court from suspended sentences," having been announced for a third reading,

On motion of Mr. Hinman, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 777, Int. No. 748) entitled "An act to amend the County Law, in relation to the establishment of county hospital for tuberculosis," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 723, Int. No. 695) entitled "An act making provision for issuing bonds to the amount of not to exceed forty million dollars for the improvement of the canal system of the State by the extension of the Black River canal, the reconstruction of the Chemung canal, the conversion of the Glens Falls feeder into a canal, the construction of a canal between Flushing river and Jamaica bay, and for the purchase of lands required, for said improvements, and providing for a submission of the same to the people to be voted upon at the general election to be held in the year nineteen hundred and thirteen," having been announced for a third reading,

On motion of Mr. Jones, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 700, Rec. No. 107) entitled "An act to

amend chapter seven hundred and fifty-one of the Laws of nineteen hundred and seven, entitled 'An act to revise the charter of the city of Binghamton,' in relation to appropriations for hospital purposes," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1396, Int. No. 1286) entitled "An act to authorize the State Architect to receive tenders of sale or gift to the State of real estate in the city of Buffalo, as a site for a State building in said city, to contain all branch offices of State officers,

bureaus or departments located or needed in said city, and to authorize the city of Buffalo to offer or tender the sale or gift of such a site," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 318, Rec. No. 24) entitled "An act to amend the Banking Law, in relation to oaths of trustees of savings banks, their qualification for a continuance in office and vacancies in the office of trustee," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenne	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 821, Rec. No. 95) entitled "An act to authorize the commissioners of the home of the city and town of Newburg to purchase lands adjoining the premises owned by them," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornotis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 618, Rec. No. 91) entitled "An act to amend the Banking Law, in relation to closing a trust company," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squi e
Benninger	Esquirol	Ingram	McGrath	Sufrin



Bovi	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Richardson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1740, Int. No. 914) entitled "An act to amend the Agricultural Law, in relation to adulterated milk," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 2

Those who voted in the affirmative were:

Adler	Dox	Horton	McDaniels	Smith J A
Baumes	Edwards	Hover	McElligott	Smith T K
Baxter	Emden	Hughes	McGrath	Squire
Benninger	Esquirol	Ingram	McKee	Sufrin
Bovie	Evans	Jackson	McKeon	Sullivan
Bradley	Fallon	Jude	McMahon	Sutphin
Brereton	Farrell	Kane	Monahan	Sweet
Brewster	Finnigan	Kelly J A	Norton	Tallett
Bryant	Fitzgerald	Kelly J J	O'Brien	Taylor F J
Burden	Fuller	Kelly J D	O'Connor	Taylor T D
Bush	Gage	Kelly P J	Oxford	Telford

Butts	Gallup	Kenney	Pappert	Tudor
Campbell	Garvey	Kennedy	Patrie	Ulrich
Carroll	Gathright	Kiernan	Pembleton	Van Woert
Carver	Geoghan	Knight	Pullman	Vert
Caughlan	Geyer	Knott	Richardson	Volk
Cole	Gibbs	Kornobis	Rozan	Walker
Cot.llo	Gillett	Lane	Schaap	Ward
Cronin	Grace	Larrimer	Schnirel	Webb
Cuvillier	Greenberg A	Levy	Schwarz	Weil
Daley	Grimme	Lewis	Seaker	Willard
Deitz	Gurnett	Macdonald	Seely J L	Willmott
Dennen	Hamilton	Maze	Seelye G T	Wood
Denney	Hammer	Malone	Shepardson	Yale
Donohue	Hearn	Maloney	Silverstein	Yard
Dorst	Hinman	McCollum	Small	Yeomans
Doty	Hopkins	McCue		

Those who voted in the negative were:

Jones                      Machold

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 923, Int. No. 880) entitled "An act in relation to the Cuba reservoir, and making an appropriation on account thereof," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gal up	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cot.llo	Gillett	Kornobis	Rozan	Ward

Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1034, Int. No. 982) entitled "An act to amend chapter five hundred and twenty of the Laws of nineteen hundred and twelve, entitled 'An act to provide for the alteration of the building known as the State House, for the use of the Court of Appeals, making an appropriation therefor, and reappropriating unexpended balances for perfecting plans for such alteration and reconstruction,' in relation to architect's compensation and modification of plans," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil

Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 189, Int. No. 186) entitled "An act to provide for the erection of a suitable monument to commemorate the services of the Twenty-fifth New York Volunteer Cavalry in the battle of Fort Stevens, and making an appropriation therefor," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 133

NOES 1

Those who voted in the affirmative were:

Adler	Edwards	Hover	McDaniels	Smith J A
Baumes	Emden	Hughes	McElligott	Smith T K
Baxter	Esquirol	Ingram	McGrath	Squire
Benninger	Evans	Jackson	McKee	Sufrin
Bovie	Fallon	Jones	McKeon	Sullivan
Bradley	Farrell	Jude	McMahon	Sutphin
Brereton	Finnigan	Kane	Monahan	Sweet
Brewster	Fitzgerald	Kelly J A	Norton	Tallett
Bryant	Fuller	Kelly J J	O'Brien	Taylor F J
Burden	Gage	Kelly J D	O'Connor	Taylor T D
Bush	Gallup	Kelly P J	Oxford	Telford
Butts	Garvey	Kenney	Pappert	Tudor
Campbell	Gathri ht	Kennedy	Patrie	Ulrich
Carroll	Geoghan	Kiernan	Pembleton	Van Woert
Carver	Geyer	Knight	Pullman	Vert
Caughlan	Gibbs	Knott	Robinson	Volk
Cole	Gillett	Kornobis	Rozan	Walker
Cotillo	Grace	Lane	Schaap	Ward
Cronin	Greenberg A	Larrimer	Schnirel	Webb
Daley	Grimme	Levy	Schwarz	Weil
Deitz	Gurnett	Lewis	Seaker	Willard
Dennen	Hamilton	Macdonald	Seely J L	Willmott
Denney	Hammer	Magee	Seelye G T	Wood
Donohue	Hearn	Malone	Shepardson	Yale
Dorst	Hinman	Maloney	Silverstein	Yard
Doty	Hopkins	McCollum	Small	Yeomans
Dox	Horton	McCue		

In the negative:

Cuvillier

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 691, Int. No. 665) entitled "An act to amend the Conservation Law, in relation to the propagation of game and to the application therefor of fees for hunting and trapping licenses," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 912, Int. No. 869) entitled "An act to amend

the Judiciary Law, in relation to the settlement or adjustment of certain actions in which an attorney shall have appeared," having been announced for a third reading,

On motion of Mr. Deitz, and by unanimous consent, said bill was ordered placed on the third reading calendar for Wednesday next.

The Senate bill (No. 691, Rec. No. 86) entitled "An act to amend the Village Law, in relation to street improvement," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Wilard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wo d
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	. mall	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 692, Rec. No. 87) entitled "An act to amend the Village Law, in relation to the compensation of collectors," having been announced for a third reading,

On motion of Mr. Bovie, said bill was laid aside and ordered stricken from the calendar.

The Senate bill (No. 1022, Rec. No. 105) entitled "An act to amend the Town Law, in relation to the appointment of special constables," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 134

NOES 00

Those who voted in the affirmative were:

Adler	Dox	Horton	McCue	Smith J A
Baumes	Edwards	Hover	McDaniels	Smith T K
Baxter	Emden	Hughes	McElligott	Squire
Benninger	Esquirol	Ingram	McGrath	Sufrin
Bovie	Evans	Jackson	McKee	Sullivan
Bradley	Fallon	Jones	McKeon	Sutphin
Brereton	Farrell	Jude	McMahon	Sweet
Brewster	Finnigan	Kane	Monahan	Tallett
Bryant	Fitzgerald	Kelly J A	Norton	Taylor F J
Burden	Fuller	Kelly J J	O'Brien	Taylor T D
Bush	Gage	Kelly J D	O'Connor	Telford
Butts	Gallup	Kelly P J	Oxford	Tudor
Campbell	Garvey	Kenney	Pappert	Ulrich
Carroll	Gathright	Kennedy	Patrie	Van Woert
Carver	Geoghan	Kiernan	Pembleton	Vert
Caughlan	Geyer	Knight	Pullman	Volk
Cole	Gibbs	Knott	Robinson	Walker
Cotillo	Gillett	Kornobis	Rozan	Ward
Cronin	Grace	Lane	Schaap	Webb
Cuvillier	Greenberg A	Larrimer	Schnirel	Weil
Daley	Grimme	Levy	Schwarz	Willard
Deitz	Gurnett	Lewis	Seaker	Willmott
Dennen	Hamilton	Macdonald	Seely J L	Wood
Denney	Hammer	Magee	Seelye G T	Yale
Donohue	Hearn	Malone	Shepardson	Yard
Dorst	Hinman	Maloney	Silverstein	Yeomans
Doty	Hopkins	McCollum	Small	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Bush called up Assembly bill (No. 1802, Int. No. 298) entitled "An act to amend the Public Health Law, in relation to cadavers for medical and surgical study," now on the order of third reading.

Mr. Bush moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith amended as follows:

Page 3, line 25, after the word "university" insert in italics "who are pursuing courses".

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McDaniels, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the concurrent resolution in relation to a joint convention of Senate and Assembly for the purpose of electing a Regent of the University in place of Daniel Beach, deceased, with a message that they have reconsidered the vote by which said resolution was passed and amended the same to read as follows:

Resolved (if the Assembly concur), That at the hour of twelve o'clock noon on Wednesday, March 26th, the Senate and Assembly meet in joint convention as provided by law for the purpose of comparing nominations for the office of Regent of the University to fill the vacancy caused by the death of Daniel Beach of the village of Watkins, county of Schuyler, Sixth Judicial District, whose term of office would have expired April 1, 1919.

Mr. Levy moved to reconsider the vote by which said resolution passed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said resolution as amended, and it was determined in the affirmative.

A communication was received from Hon. Louis P. Fuhrmann, mayor of the city of Buffalo, returning Assembly bill (No. 107, Int. No. 107) entitled "An act to amend chapter five hundred and seventy of the Laws of nineteen hundred and nine, entitled 'An act to establish the city court of Buffalo, defining its powers



and jurisdiction and providing for its officers,' as amended by chapter three hundred and thirty-nine of the Laws of nineteen hundred and ten, in relation to compensation of jurors in said court," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. William J. Gaynor, mayor of the city of New York, returning Assembly bill (No. 1063, Int. No. 1011) entitled "An act to amend chapter six hundred and seventy-six of the Laws of nineteen hundred and seven, entitled 'An act to authorize the extension of Riverside park, in the city of New York, by filling in certain land under water so as to permit the construction therein of a water gate and monument to Robert Fulton, the inventor of steam navigation, by the corporation known as The Robert Fulton Monument Association of the City of New York,' generally," with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Privileges of the floor were extended to Hon. H. A. Northrup and Hon. J. A. Warren.

On motion of Mr. Levy, the House adjourned.

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## TUESDAY, MARCH 18, 1913.

The House met pursuant to adjournment.

Prayer by Rev. E. B. M. Byrne, 71 W. 125th street, New York city.

On motion of Mr. Levy, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker presented the annual report of the State of New York Education Department, which was laid upon the table and ordered printed.

(See Assembly Document No. 26.)

Mr. Bush introduced a bill entitled "An act for the appropriation of six hundred thousand dollars for the elimination of grade crossings within the jurisdiction of the Public Service Commissions for the first and second districts of the State of New York" (Int. No. 1783), which was read the first time and referred to the committee on ways and means.

Mr. Evans introduced a bill entitled "An act to authorize the Governor to appoint commissioners to confer with the commissioners of other States in relation to motor vehicle legislation, and making an appropriation therefor" (Int. No. 1784), which was read the first time and referred to the committee on ways and means.

Mr. Hearn introduced a bill entitled "An act to amend the Labor Law, in relation to the minimum wages to be paid to the laborers, workmen and mechanics on the canals, or in connection with canal construction" (Int. No. 1785), which was read the first time and referred to the committee on ways and means.

Mr. Jones introduced a bill entitled "An act to provide for the purchase of mountain tops within the forest preserve counties, and making an appropriation therefor" (Int. No. 1786), which was read the first time and referred to the committee on ways and means.

Mr. Malone introduced a bill entitled "An act to amend the Judiciary Law, in relation to persons prohibited from practising in surrogate's court" (Int. No. 187), which was read the first time and referred to the committee on the judiciary.

Mr. F. J. Taylor introduced a bill entitled "An act to amend the Greater New York charter, in relation to the uniformed force of the fire department" (Int. No. 1788), which was read the first time and referred to the committee on affairs of cities.

Mr. Walker introduced a bill entitled "An act to amend the Insurance Law, in relation to the agents of life insurance corporations" (Int. No. 1789), which was read the first time and referred to the committee on insurance.

Mr. Madden introduced a bill entitled "An act providing for the erection of a State armory in the city of Yonkers, the acquisition of a site therefor, and making an appropriation for building

said armory" (Int. No. 1790), which was read the first time and referred to the committee on ways and means.

Mr. Squire introduced a bill entitled "An act to amend chapter seven hundred and fifty-six of the Laws of nineteen hundred and seven, entitled 'An act to provide for the government and to supplement the provisions of law relating to the city of Schenectady,' in relation to the department of the judiciary" (Int. No. 1791), which was read the first time and referred to the committee on affairs of cities.

Mr. McCue introduced a bill entitled "An act to amend the Railroad Law, in relation to the inspection of locomotive boilers" (Int. No. 1792), which was read the first time and referred to the committee on railroads.

Mr. Kennedy introduced a bill entitled "An act to amend chapter four hundred and ten of the Laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to coroner's physicians" (Int. No. 1793), which was read the first time and referred to the committee on affairs of cities.

Mr. Small introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to construct, repair and maintain docks, piers and wharves in said city" (Int. No. 1794), which was read the first time and referred to the committee on affairs of cities.

Mr. Madden introduced a bill entitled "An act to incorporate Students' Aid Society of the Yonkers High School" (Int. No. 1795), which was read the first time and referred to the committee on the judiciary.

Mr. Pullman introduced a bill entitled "An act to amend chapter one hundred and fifty-seven of the Laws of eighteen hundred and forty-four, entitled 'An act to incorporate the village of Mohawk,' in relation to the Weller library of such village" (Int. No. 1796), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent, Mr. Bush introduced a bill entitled "An act making appropriations for certain expenses of government and various miscellaneous appropriations, and supplying deficiencies in former appropriations" (Int. No. 1797), which was read the first time and referred to the committee on ways and means.

Also, by unanimous consent, "An act making appropriations for the support of government" (Int. No. 1798), which was read the first time and referred to the committee on ways and means.

By unanimous consent, Mr. Kenney introduced a bill entitled "An act to provide for establishing a portion of the north boundary line of the county of Ulster, and being a portion of the south boundary line of the county of Greene and known as the north boundary line of Great Lot number eight, Hardenburgh Patent, and making an appropriation therefor" (Int. No. 1799), which was read the first time and referred to the committee on ways and means.

On motion of Mr. Gurnett, the committee on revision was instructed to report Assembly bill (No. 1872, Int. No. 1460) entitled "An act to amend the Conservation Law, in relation to the taking of hares and rabbits in the counties of Schuyler, Tompkins, Columbia, Livingston, Oswego and Steuben," with the following recommendations:

Page 1, in line 3 of title, strike out comma after "Oswego".

Page 2, line 2, strike out comma after "Oswego".

Line 6, after "Schuyler" strike out "and"; insert comma after "Tompkins", strike out period, insert comma and add "Columbia, Livingston, Oswego and Steuben".

Mr. McCue, from the committee of conference, presented the following report:

### *To the Legislature*

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 280, Int. No. 276) entitled "An act to amend the Greater New York charter, in relation to expenditures for the relief of the blind,"

report that they have duly conferred upon said matters, and agreed to recommend the passage of the following substitute bill:

(See Appendix No. 5.)

JAMES A. FOLEY,  
ED. BROWN,  
THOS. M. CULLEN,  
*Committee on the part of the Senate.*

M. G. McCUE,  
MICHAEL SCHAAP,  
THOS. K. SMITH,  
JOHN J. McKEON,  
J. B. CAUGHLAN,  
*Committee on the part of the Assembly.*

which report was agreed to, and said substitute bill ordered printed and restored to the order of third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McKee (No. 1738, Int. No. 1065), entitled "An act to amend the Education Law, relative to the apportionment of school moneys by district superintendent of schools."

Also, the bill introduced by Mr. McKee (No. 1139, Int. No. 1066), entitled "An act to amend the Education Law, relative to aid for blind and deaf students in colleges and universities."

Also, the bill introduced by Mr. Levy (No. 1297, Int. No. 1198), entitled "An act to promote the public health by amending the Labor Law, in relation to labor of more than six days in any one week."

Also, the bill introduced by Mr. Levy (No. 1384, Int. No. 1273), entitled "An act to amend the Greater New York charter, in relation to the power of the board of aldermen to issue permits for the sale of newspapers and periodicals."

Also, the bill introduced by Mr. Jackson (No. 1413, Int. No. 1303), entitled "An act transferring Hopkins street in the city of Buffalo from the jurisdiction and control of the common council to the jurisdiction and control of the park commissioners of said city."

Also, the bill introduced by Mr. Schifferdecker (No. 1498, Int. No. 1373), entitled "An act to amend the Greater New York

charter, in relation to the registration of births not previously recorded."

Also, the bill introduced by Mr. Geoghan (No. 1649, Int. No. 1493), entitled "An act to authorize the board of trustees of the police pension fund of the city of Buffalo, in their discretion, to increase pensions heretofore granted to widows of former members of the police force."

Also, the bill introduced by Mr. McKee (No. 1655, Int. No. 1499), entitled "An act to amend the Education Law, relative to the establishment and maintenance of temporary schools in camps and other places of temporary habitation."

Also, the bill introduced by Mr. McKee (No. 1672, Int. No. 1514), entitled "An act to amend the Greater New York charter, in relation to reports by the board of education."

Also, the bill introduced by Mr. McKee (No. 1673, Int. No. 1515), entitled "An act to amend chapter eight hundred and eighty-seven of the Laws of nineteen hundred and eleven, entitled 'An act authorizing the board of aldermen of the city of New York to audit, allow and certify to the comptroller for payment as charges against said city, the reasonable expenses for medical and surgical treatment and maintenance of the mayor or other officer or employee of the city of New York for gunshot wounds or personal injuries, and authorizing the comptroller to audit and pay such charges,' in relation to extending the provisions of such chapter to county and borough officers."

Also, the bill introduced by Mr. Daley (No. 1724, Int. No. 1551), entitled "An act to provide for the erection of a new vocational high school in the city of Syracuse."

Also, the bill introduced by Mr. Hamilton (No. 1601, Int. No. 1444), entitled "An act to amend the Prison Law, in relation to pardons."

Also, the bill introduced by Mr. Yeomans (No. 1249, Int. No. 1165), entitled "An act to amend section one of chapter four hundred and fifty-nine of the Laws of nineteen hundred and seven, entitled 'An act in relation to school district number six in the town of Lyons in Wayne county, and repealing various acts relating specially thereto,' in relation to the boundaries of said district and the alteration thereof."

Also, the bill introduced by Mr. J. A. Kelly (No. 1124, Int. No.

1051), entitled "An act to amend chapter four hundred and twenty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to amend the charter of the city of Poughkeepsie,' in relation to publishing ordinances and compensation of election officials."

Also, the bill introduced by Mr. Jackson (No. 1020, Int. No. 974), entitled "An act to amend the Labor Law, in relation to employment certificates."

Also, the bill introduced by Mr. Gallup (No. 64, Int. No. 64), entitled "An act to amend the Tax Law, in relation to the salaries of transfer tax clerks in the surrogate's court, Monroe county."

Also, the bill introduced by Mr. Kennedy (No. 1454, Int. No. 1343), entitled "An act to amend the Greater New York charter, in relation to providing for a relief and pension fund for the benefit of the members of the clerical, mechanical and uniform force of the bureau of street cleaning of the borough of Queens."

Also, the bill introduced by Mr. Finnigan (No. 1386, Int. No. 1275), entitled "An act to amend the Greater New York charter, in relation to compensation for city employees during absence from duty occasioned by injuries received in the performance of duty."

Also, the bill introduced by Mr. Emden (No. 311, Int. No. 307), entitled "An act to amend the Tax Law, in relation to payment of expenses in certiorari proceedings."

Also, the bill introduced by Mr. Bush (No. 1206, Int. No. 1127), entitled "An act to amend chapter three hundred and seventy of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the public schools in the city of Elmira,' relating to deposits of school money with the city chamberlain."

Also, the bill introduced by Mr. Brewster (No. 1064, Int. No. 1012), entitled "An act to amend chapter five hundred and ninety-two of the Laws of nineteen hundred and ten, entitled 'An act in relation to the care and investment of the Adam Haverling school fund belonging to Haverling union free school district number five, town of Bath, Steuben county, and repealing certain acts in relation thereto,' in relation to bond of treasurer of board of education of such free school district."

Also, the bill introduced by Mr. Daley (No. 1467, Int. No.

1352), entitled "An act to amend the Labor Law, in relation to hours of labor in mercantile establishments."

Also, the bill introduced by Mr. Gillett (No. 1527, Int. No. 573), entitled "An act to amend the General Business Law, in relation to establishing the standard of four-pound grape baskets."

Also, the bill introduced by Mr. Bovie (No. 894, Int. No. 852), entitled "An act to amend chapter five hundred and fifty-nine of the Laws of nineteen hundred and ten, entitled 'An act to provide a charter for the city of New Rochelle,' in relation to the annual estimate of the city of New Rochelle," reported the same without recommendations, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Madden (No. 1701, Int. No. 1532), entitled "An act to amend chapter four hundred and fifty-two of the Laws of nineteen hundred and eight, entitled 'An act to supplement the general laws relating to the government of the city of Yonkers, and to revise and consolidate the local laws relating thereto,'" reported the same with the following recommendations:

Page 2, line 4, strike out "or" and insert "and".

Line 16, strike out comma after "steam" and insert comma after "whistles".

Line 25, strike out "s" at end of "streets" and "avenues".

Line 27, after "respectively" strike out comma and insert "[,]". In "Whatever" strike out "W" in roman and insert "W" in italics.

Page 3, line 10, strike out "nor shall they permit" in italics and insert same in roman.

Page 4, line 4, after "thereof," insert "and shall provide for the issuing of irrevocable licenses therefor,".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McElligott (No. 517, Int. No. 506), entitled "An act to amend the Labor Law, in relation to mechanics working in State institutions," reported the same with the following recommendations:

Page 2, line 4, after "to" strike out "the".

Line 15, after "therewith" insert comma.



Page 3, line 7, after "mechanics," strike out "nor" and insert "[or] nor" in italics.

Line 8, strike out "shall it apply" in roman and insert the same in italics.

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. Jackson (No. 1023, Int. No. 977), entitled "An act to amend the Educational Law, in relation to school-record certificates," reported the same with the following recommendations:

Page 1, line 1 of title, strike out "al" in "educational".

Page 2, line 3, insert comma at end thereof.

Line 5, insert comma after "geography".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Schwarz, from the committee on revision, to which was referred the bill introduced by Mr. McKee (No. 1136, Int. No. 1063), entitled "An act to amend the Education Law, relative to geographic names," reported the same with the following recommendation:

Page 1, line 1 of title, strike out "education" and insert "executive".

which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Doty, from the committee on printed and engrossed bills, reported the following bills as correctly printed or engrossed:

"An act to amend chapter eight hundred and seventy-six of the Laws of nineteen hundred and eleven, entitled 'An act to constitute poor district number one of the county of Orange, in relation to the support of the poor in said district, and ratifying and confirming certain acts of the board of supervisors and other county officers in relation thereto, in relation to the rights and powers of such district.'" (No. 1177, Int. No. 1098.)

"An act to amend the Insurance Law, in relation to reports of assistants to the State Fire Marshal." (No. 1352, Int. No. 1248.)

"An act to provide for the removal and reinterment of bodies

in a cemetery in the town of Bolton in Warren county." (No. 978, Int. No. 934.)

"An act to amend the Banking Law, in relation to the payment of interest by savings banks." (No. 491, Int. No. 486.)

"An act to amend the Penal Law, relative to abstraction of or wilful misapplication of money, funds or property, or misapplication of credit, of any corporation subject to the Banking Law, by an officer, director, trustee, employee or agent thereof." (No. 367, Int. No. 363.)

"Concurrent resolution of the Senate and Assembly proposing an amendment to section seven of article one of the Constitution, relative to taking private property for public use." (No. 386, Int. No. 383.)

"An act to amend the Town Law, in relation to town auditors." (No. 570, Int. No. 556.)

"An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to moneys to be raised for village purposes." (No. 685, Int. No. 659.)

"An act to amend the Insurance Law, in relation to transportation of explosives." (No. 1542, Int. No. 1399.)

"An act to provide means for the completion and furnishing of the new Schenectady county jail and the furnishing of the new Schenectady county courthouse in the city of Schenectady, New York, for the use of the county of Schenectady." (No. 1605, Int. No. 1448.)

"An act to repeal chapter three hundred and ninety of the Laws of eighteen hundred and fifty-nine." (No. 1508, Int. No. 1383.)

"An act to amend the Labor Law, in relation to hours of labor in mercantile establishments." (No. 1467, Int. No. 1352.)

"An act to amend the Conservation Law, in relation to the taking of lake trout with nets in Lake Seneca." (No. 1615, Int. No. 1459.)

"An act to amend the Penal Law, in relation to guard posts." (No. 1196, Int. No. 1117.)

"An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the

charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to cemeteries and the amount of money to be raised for the care of the same." (No. 497, Int. No. 492.)

"An act to authorize the village of Weedsport and the president and board of trustees of said village to remove the remains of deceased persons from the old cemetery or burial ground in said village." (No. 739, Int. No. 711.)

"An act to amend chapter sixty-eight of the Laws of eighteen hundred and eighty, entitled 'An act to authorize the sale of lands in the town and village of Saratoga Springs, for unpaid State, county and municipal taxes, including water rates and special assessments,' in relation to unredeemed tax sale certificates." (No. 687, Int. No. 661.)

"An act granting the consent of the State of New York to the occupation by the United States of certain lands for the purpose of the erection of a lighthouse and necessary buildings, situate near the city of Kingston in the county of Ulster, and ceding jurisdiction over the same." (No. 976, Int. No. 932.)

"An act to authorize the town of Eastchester in the county of Westchester to expend a sum not exceeding five thousand dollars for the purchase of a motor hook and ladder truck for said town, in accordance with the vote of the electors at a special meeting held in said town on the fifth day of November, nineteen hundred and twelve, and to authorize said town to issue its bonds to raise funds to meet said expenditure, and to provide for the payment of the principal and interest of said bonds." (No. 1222, Int. No. 1143.)

"An act to amend the Tax Law, in relation to payment of expenses in certiorari proceedings." (No. 311, Int. No. 307.)

"An act to provide for certain improvements to Bashas kill, at the mouth of Pine kill, in the county of Orange, and making an appropriation therefor." (No. 437, Int. No. 432.)

"An act to amend chapter two hundred and twenty of the Laws of eighteen hundred and sixty-six, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof,' in relation to permitting the commissioner of parks to expend the sum of money to be received from the

Commissioners of the State Reservation at Saratoga Springs." (No. 495, Int. No. 490.)

"An act in relation to the disposition of ten thousand dollars and accrued interest belonging to the village of Saratoga Springs, now on special deposit in the Adirondack Trust Company of Saratoga Springs, and permitting the same to be applied on the village tax budget for the year nineteen hundred and thirteen." (No. 686, Int. No. 660.)

"An act to provide for the alteration, remodeling and improvement of the State armory in the city of Olean, the disposition of the old armory building, and making an appropriation therefor." (No. 948, Int. No. 903.)

"An act to amend chapter four hundred and twenty-five of the Laws of eighteen hundred and ninety-six, entitled 'An act to amend the charter of the city of Poughkeepsie,' in relation to publishing ordinances and compensation of election officials." (No. 1124, Int. No. 1051.)

"An act to amend chapter six hundred and sixty-seven of the Laws of eighteen hundred and sixty-eight, entitled 'An act to enable Conrad Poppenhusen to found an institution in the village of College Point,' generally." (No. 1003, Int. No. 957.)

"An act to amend the Railroad Law, in relation to the establishment of stations and the stopping of trains thereat." (No. 71, Int. No. 71.)

Mr. Grimme offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Assembly bill (No. 1770, Int. No. 1587) entitled "An act to amend the Real Property Law, in relation to acknowledgments and proofs of conveyances by attorneys-at-law," and that said bill be referred to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill (No. 1143, Int. No. 1070) entitled "An act to amend the Military Law, in relation to the compensation of the major-general," having been announced for a second reading,

On motion of Mr. Bush, and by unanimous consent, said bill

was ordered placed on the second reading calendar for Wednesday, March 26th.

The bill (No. 1946, Int. No. 836) entitled "An act to amend the Greater New York charter, in relation to the retirement of civil employees from active service," was read the second time.

On motion of Mr. Caughlan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1945, Int. No. 1294) entitled "An act to amend the Education Law, in relation to the establishment of a State normal and training school on Long Island," was read the second time.

On motion of Mr. Maloney, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1979, Int. No. 1422) entitled "An act to incorporate the city of Canandaigua," was read the second time.

On motion of Mr. Schnirel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1948, Int. No. 509) entitled "An act to amend the Liquor Tax Law, in relation to illegal sales and selling," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1947, Int. No. 1412) entitled "An act to amend the Greater New York charter, in relation to the board of examiners of the bureau of buildings," was read the second time.

On motion of Mr. Ward, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1949, Int. No. 1256) entitled "An act to amend the Insurance Law, in relation to reports by insurance companies of fire losses to the State Fire Marshal," was read the second time.

On motion of Mr. Walker, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1800, Int. No. 976) entitled "An act to amend the Labor Law, in relation to washrooms, dressing rooms and water closets in factories," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Heyman	McCue	Small
Baumes	Emden	Hinman	McDaniels	Smith J A
Baxter	Esquirol	Hopkins	McElligott	Smith T K
Benninger	Evans	Horton	McGrath	Squire
Bovie	Fallon	Hughes	McKee	Sufrin
Bradley	Farrell	Ingram	McKeon	Sullivan
Brewster	Finnigan	Jackson	McMahon	Sutphin
Bryant	Fitzgerald	Jones	Monahan	Sweet
Burden	Fuller	Jude	Oxford	Tallett
Burr	Gage	Kelly J J	Pappert	Taylor F J
Bush	Gallup	Kelly J D	Patrie	Taylor T D
Butts	Garvey	Kelly P J	Pembleton	Telford
Carroll	Gathright	Kenney	Phillips	Tudor
Carver	Geoghan	Kennedy	Pullman	Van Woert
Caughlan	Geyer	Kerrigan	Richardson	Vert
Cole	Gibbs	Knight	Robinson	Volk
Cotillo	Gillett	Knott	Rozan	Walker
Cuvillier	Goldberg	Larrimer	Schaap	Ward
Daley	Grace	Levy	Schifferdecker	Webb
Deitz	Greenberg A	Lewis	Schnirel	Weil
Donohue	Grimme	Macdonald	Schwarz	Willard
Dorst	Gurnett	Machold	Seely J L	Willmott
Doty	Hamilton	Madden	Seelye G T	Wood
Dox	Hammer	Magee	Shepardson	Yard
Edwards	Hearn	Maloney	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1206, Int. No. 1127) entitled "An act to amend chapter three hundred and seventy of the Laws of eighteen hundred and ninety-five, entitled 'An act in relation to the public schools in the city of Elmira,' relating to deposits of school money with the city chamberlain," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Heyman	McCue	Small
Baumes	Emden	Hinman	McDaniels	Smith J A
Baxter	Esquirol	Hopkins	McElligott	Smith T K
Benninger	Evans	Horton	McGrath	Squire
Bovie	Fallon	Hughes	McKee	Sufrin
Bradley	Farrell	Ingram	McKeon	Sullivan
Brewster	Finnigan	Jackson	McMahon	Sutphin
Bryant	Fitzgerald	Jones	Monahan	Sweet
Burden	Fuller	Jude	Oxford	Tallett
Burr	Gage	Kelly J J	Pappert	Taylor F J
Bush	Gallup	Kelly J D	Patrie	Taylor T D
Butts	Garvey	Kelly P J	Pembleton	Telford
Carroll	Gathright	Kenney	Phillips	Tudor
Carver	Geoghan	Kennedy	Pullman	Van Woert
Caughlan	Geyer	Kerrigan	Richardson	Vert
Cole	Gibbs	Knight	Robinson	Volk
Cotillo	Gillett	Knott	Rozan	W lker
Cuvillier	Goldberg	Larrimer	Schaap	Ward
Daley	Grace	Levy	Schifferdecker	Webb
Deitz	Greenberg A	Lewis	Schnirel	Weil
Donohue	Grimme	Macdonald	Schwarz	Willard
Dorst	Gurnett	Machold	Seely J L	Willmott
Doty	Hamilton	Madden	Seelye G T	Wood
Dox	Hammer	Magee	Shepardson	Yard
Edwards	Hearn	Maloney	Silverstein	Yeomans

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1801, Int. No. 996) entitled "An act to repeal chapter three hundred and twenty-two of the Laws of eighteen hundred and eighty-two, entitled 'An act in relation to the collection of taxes in the county of Oswego, and to legalize all sales for taxes in the county of Oswego, sold under and by virtue of chapter sixty-five of the Laws of eighteen hundred and seventy-eight, entitled "An act to amend the statutes in reference to the collection of taxes in the counties of Livingston, Montgomery and Oswego," and all acts amendatory thereof, or supplementary thereto, and to repeal said chapter sixty-five of the Laws of eighteen hundred and seventy-eight, and the acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to or affect the county of Oswego,' and to repeal the several acts amendatory thereof, and supplementary thereto, so far as the provisions thereof relate to the county of Oswego; and to validate and legalize proceedings and conveyances made pursuant to the provisions of said act; and to enact a statute of limitations as to all

actions and proceedings hereafter commenced to avoid, vacate or otherwise declare illegal, any sale made pursuant to said act, or to any act amendatory thereof or supplementary thereto," having been announced for a third reading,

On motion of Mr. J. A. Smith, said bill was recommitted to the committee on internal affairs, retaining its place on the order of third reading.

The bill (No. 1778, Int. No. 1021) entitled "An act authorizing the city of Buffalo to borrow money, by the issue and sale of bonds in sums not exceeding in the aggregate thirty thousand dollars, for the purpose of participating in the fourth international congress on school hygiene to be held in said city, and for the benefit of the public health," was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

AYES 125

NOES 00

Those who voted in the affirmative were:

Adler	Eisner	Heyman	McCue	Small
Baumes	Emden	Hinman	McDaniels	Smith J A
Baxter	Esquirol	Hopkins	McElligott	Smith T K
Benninger	Evans	Horton	McGrath	Squire
Bovie	Fallon	Hughes	McKee	Sufrin
Bradley	Farrell	Ingram	McKeon	Sullivan
Brewster	Finnigan	Jackson	McMahon	Sutphin
Bryant	Fitzgerald	Jones	Monahan	Sweet
Burden	Fuller	Jude	Oxford	Tallett
Burr	Gage	Kelly J J	Pappert	Taylor F J
Bush	Gallup	Kelly J D	Patrie	Taylor T D
Butts	Garvey	Kelly P J	Pembleton	Telford
Carroll	Gathright	Kenney	Phillips	Tudor
Carver	Geoghan	Kennedy	Pullman	Van Woert
Caughlan	Geyer	Kerrigan	Richardson	Vert
Cole	Gibbs	Knight	Robinson	Volk
Cotillo	Gillett	Knott	Rozan	Walker
Cuvillier	Goldberg	Larrimer	Schaap	Ward
Daley	Grace	Levy	Schifferdecker	Webb
Deitz	Greenberg A	Lewis	Schnirel	Weil
Donohue	Grimme	Macdonald	Schwarz	Willard
Dorst	Gurnett	Machold	Seely J L	Willmott
Doty	Hamilton	Madden	Seelye G T	Wood
Do	Hammer	Magee	Shepardson	Yale
Edwards	Hearn	Maloney	Silverstein	Yeomans



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**INDEX TO ASSEMBLY JOURNAL**  
**1913**

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## PLAN OF INDEX.

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This Journal is indexed upon the following plan:

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the New York, General, and all bills relating to Greater New York under New York City, General, and New York City, Charter.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting those recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, i. e., "Banking Law," "Benevolent Orders Law," "Conservation Law," "Lien Law," "Revised Statutes," &c., &c., also under the head "General Laws."

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All code amendments under the heads of "Code Civil," "Code Criminal," and "Code Penal."

10. All petitions under "Petitions," are reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speaker under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters not relating to bills under the proper head.

15. The numbers used in this index, viz.: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to a Senate bill and its reception number.

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